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Third Session of the Twenty-Ninth Legislature

Wednesday, December 5, 1973

Afternoon Session

Speaker: Honourable Allan Edward Reuter

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 5, 1973

The House met at 2 o'clock, p.m.

Prayers.

VISITORS

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, I would like to introduce to the members of the House a group of 40 students visiting us today, seated in the west gallery, who are from the Thomas A. Blakelock High School in Oakville. There may be some members of the House who will remember when Mr. Thomas A. Blakelock was the representative for Halton county.

Mr. Speaker: Statements by the ministry.

MEDICAL CARE IN CORRECTIONAL INSTITUTIONS

Hon. C. J. S. Apps (Minister of Correctional Services): Mr. Speaker, on Sunday, Dec. 2, the Sunday Sun carried a front page story entitled "Dangerous Neglect at Jail." This story left the impression that inmates at Millbrook Correctional Centre are getting "dangerously inadequate medical treatment." I would like to correct this impression by outlining the medical situation at Millbrook.

Millbrook Correctional Centre is currently served by two doctors who operate a medical clinic in the town of Millbrook. In addition, there are three full-time registered nurses and a part-time nurse on the medical staff of this institution. There is a nurse on duty from 7 a.m. to 9 p.m. every day of the week. The two doctors are employed on a contract basis by the ministry to provide 24-hour coverage seven days per week.

Inmates are seen by a nurse at sick parade each morning. One of the doctors personally attends sick parade a minimum of three days a week and the doctors respond to emergencies at any hour.

In addition, a dentist provides two days of service a week and an inmate requiring special dental care is taken to the appropriate community resource for treatment. In the opinion of this ministry's chief medical officer, this is adequate medical coverage.

As the hon. members know, the health care system in this ministry was the subject of an inquiry concluded by Dr. E. H. Botterell late last year. The ministry has since acted on many of Dr. Botterell's recommendations, including most of those related to Millbrook Correctional Centre. The recommended medical coverage by a medical doctor and nurses is met under the present arrangement which I have just described.

Dr. Botterell also recommended the appointment of one psychiatrist for five-day sessions, this man to have affiliation with Queen's University. Our personnel branch is in the process of advertising this position and we have assurance from Queen's University that a department of psychiatry appointment will be given to the suitable candidate.

Dr. Botterell recommended one psychologist to provide five half-day sessions per week. A full-time psychologist has been hired and is expected to assume his duties shortly. At present, clinical psychology is covered by Dr. A. Norton of Pine Ridge School who attends one half-day per week and supervises the psychometrists. Dr. Botterell recommended one psychometrist and there are two full-time psychometrists now on staff.

Dr. Botterell recommended one full-time medical or psychiatric social worker. Millbrook presently has a full-time social worker as well as a full-time staff member with a master's degree in correctional administration, plus two working students from the centre of criminology, University of Ottawa. It might be noted that Dr. Botterell found that: "The physical facilities for health services at Millbrook are extensive." He added, "General medical and general surgical problems, save in highly specialized fields, are well managed in the Peterborough Hospital."

Considering the progress which we have made toward further improving medical services at Millbrook Correctional Centre, I feel the stories in the Sunday Sun were misleading and unfair. Millbrook Correctional Centre accommodates the most severe behavioural problems in the provincial correctional system, as well as known escape risks, arsonists and sex and drug offenders. The staff at this institution, including the medical staff, have a

difficult job. I wish to assure the House that the ministry feels the staff at Millbrook are doing a good job, and that the medical needs of the inmates are being more than adequately met by the present medical staff.

Thank you, Mr. Speaker.

TASK FORCE HYDRO REPORT

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, at the appropriate time today I will be tabling the fifth and final report of Task Force Hydro—"A Policy for Make or Buy." This report analyses Hydro's potential for using more outside services against a future in-house capability in such areas as design and construction of plant and transmission facilities, maintenance, the computer function and some auxiliary services.

It recommends that a policy within which Hydro would "buy" more and "make" less would be mutually advantageous to the utility and to the provincial economy. It also recommends that Hydro adopt a more open information policy for all forms of tendering and that the Ontario government seek the elimination of interprovincial trade restrictions.

Task Force Hydro anticipates that the greater use of external resources will provide a measure with which Hydro can assess its performance and efficiency in comparison with outside groups. The greater use of external resources will also help to meet increased workloads and to avoid excessive staff growth, considering that the demands upon Hydro are expected to double in the next 10 years.

As members know, this Task Force Hydro report is a result of extensive research undertaken by a study team of Hydro representatives and outside consultants who worked in collaboration with a broad cross-section of government and industry. I have reviewed these final recommendations and generally look on them with favour. It is recognized that their implementation will be chiefly the responsibility of the new Hydro corporation.

Mr. Speaker: Oral questions. The hon. member for York Centre.

HALL LAMP CO.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I have a question of the Premier. In the case of the Hall Lamp Co. failure or receivership, and the fact that this not only means losing jobs for the 400 people but it could cause a strain on housing in other parts of the province because of people having to move out of the area for jobs, because the $150,000 loan is in jeopardy—

An hon. member: Question, question!

Mr. Deacon: I've got to have a preamble and there's no time limit on this. I don't have a clock here.

Mr. A. J. Roy (Ottawa East): The member woke up the Provincial Secretary for Resources Development (Mr. Lawrence) over there. Keep it up.

Mr. Deacon: Will the Premier include the Minister of Labour (Mr. Guindon), the Minister of Industry and Tourism (Mr. Bennett), and the Minister of Housing (Mr. Welch), in a presentation to the auto makers in efforts to help the existing employees maintain the operation so that those jobs will continue and they don't have to move out and hurt the economy in that area?

Hon. W. G. Davis (Premier): Mr. Speaker, I can't report in any detail, but actually it is my understanding that officials of the Ministry of Labour and of the Ministry of Industry and Tourism, including ODC, met with eight former salaried employees of Hall Lamp this morning; they were in the process of exploring some way to continue business either in this way or under some other corporate form. So, Mr. Speaker, there has already been a meeting this morning on the matter referred to by the hon. member.

Mr. Deacon: Supplementary: In view of the fact that the Premier's own intervention would do a great deal to provide validity and weight to their presentation to the auto makers for continuation of those markets, will the Premier himself assure us he will assist these people in their efforts to continue the operations of that business?

Hon. Mr. Davis: Mr. Speaker, obviously, if it can serve a useful and constructive purpose, I'm quite prepared to assist in any way that I can. I will be getting a report of this morning's discussion later today or early tomorrow morning, and perhaps I shall be in a position to advise the House as to just what possibilities may exist.

Mr. Speaker: The hon. member for Scarborough West.

Mr. S. Lewis (Scarborough West): Supplementary, Mr. Speaker: Given, I think, that

the Premier probably recognizes that the peremptory dismissal of the managerial and supervisory employees last Friday afternoon at 5 o'clock is probably the final assault on the continuation of that plant as it was, would the Premier consider as the most likely alternative, a loan from this government directly to the employees and the managerial group in the former Hall Lamp plant to run that plant jointly either as a Crown corporation or as a new and privately incorporated company, funded initially by government, for the purpose of keeping the plant alive, in Canadian hands, keeping all of the people employed and maintaining the integrity of the communities as well?

Hon. Mr. Davis: Mr. Speaker, I think I'd be prepared to acknowledge that this may be one alternative. I don't say that is the only alternative. I'm not personally knowledgeable as to the general direction of the discussion this morning, other than that some consideration was given to a new corporate structure. As I say, when I get further information I shall be more than pleased to inform members of the House.

Mr. Lewis: Supplementary: Does the Premier realize that the management of the plant is down here at Queen's Park, asking the government to allow it, the management —and the entire range of managerial expertise is reflected; everyone from the general manager to purchasing personnel—the management of the plant is asking for the right to continue the operation of that plant in conjunction with the employees? It is asking the Conservative government of Ontario to make this possible for them and to depart from its refusal to do that in the Dunlop case or in other cases and make a particular exception in this instance? Could he respond to that unusual initiative of a management group?

Hon. Mr. Davis: Mr. Speaker, as I say, I assume that was one of the matters and perhaps one of the alternatives, discussed this morning. All I am saying to the hon. member is that there may be other alternatives that need be explored in the immediate future and we should not close our minds to them. Certainly the suggestion that has been made, I think it is fair to state, probably was one of those alternatives discussed this morning.

Mr. Speaker: The hon. member—

Mr. J. Riddell (Huron): Supplementary, Mr. Speaker—

Mr. M. Gaunt (Huron-Bruce): Supplementary—

Mr. Speaker: I think there have been four supplementaries now.

Mr. Riddell: Inasmuch as the plant is in my riding, Mr. Speaker—

Mr. Gaunt: In view of the fact—

Mr. Speaker: I think the hon. member for Huron has a good point. He may ask a supplementary question.

Interjections by hon. members.

Mr. Riddell: Thank you, Mr. Speaker. I have a supplementary question of the Premier. Is he aware of the serious implications and the effect that the closure of Hall Lamp will have on the economy of western Ontario, inasmuch as many satellite supply companies will have to fold up? In addition, ODC have a real involvement here in that they own houses in Huron Park, and the employees who live there are going to have to move away. There is going to be a tremendous amount of money coming from the government, probably more money than it would take to keep the plant in operation. Is the Premier aware of this?

Hon. Mr. Davis: Mr. Speaker, I am not aware of all the details. I am obviously aware of the impact of a plant with this number of employees in that particular industry and the effect that it has. There's no question that there are subcontracts and that others are affected by this sort of situation. Of that I am aware and I am more encouraged today that the hon. member is perhaps seeking a solution rather than being completely concerned as to whether the ODC did or did not have a chattel mortgage.

I think it is fair to point out, Mr. Speaker, that we are anxious to find a solution to this problem if we can, but I would have to warn the member for Huron now that the solution, if we can find one, may not offer the kind of security that he was so disturbed about yesterday.

Mr. Riddell: Would the Premier be willing to meet with the delegation?

Mr. Gaunt: A very short supplementary, Mr. Speaker: In view of the fact that the management people from Hall Lamp are here today, would the Premier be prepared to meet with them today?

Mr. Lewis: They have met with the ministry.

Hon. Mr. Davis: Mr. Speaker, as I understand it, they have already been discussing this matter with the officials of the two ministries. Certainly, I shall be discussing it with some of the officials later in the day. If it is helpful to meet with the actual representatives of the company, I am not sure just how free my time is this afternoon, but certainly this has a priority for the government and I am not saying no to that possibility.

Mr. Lewis: If the Premier gives the plant to the employees, he will be known as the Barrett of Ontario.

Mr. J. F. Foulds (Port Arthur): Instead of the Bluebeard of Ontario.

Mr. Speaker: The hon. member for York Centre.

REVIEW OF OLRB DECISION

Mr. Deacon: A question of the Minister of Labour Relations Board with regard to the review the recent decision of the Ontario Labour Relations Board with regard to the move by local 61 to decertify themselves from the international union, which move was frustrated by a technicality; the technicality in effect said that it failed to mention local 61 in its heading? In view of this technical reason for turning down a decertification, would the minister have the matter reviewed? It seems rather frustrating in view of the attempt by this local to make itself a national rather than an international union.

Mr. Roy: The minister is not hung up on technicalities?

Hon. F. Guindon (Minister of Labour): Yes, Mr. Speaker, I will certainly review and take this into account. I must admit I am not familiar with this particular case at this time.

Mr. B. Newman (Windsor-Walkerville): Supplementary, Mr. Speaker: Can we expect the review from the minister within the next day or so?

Hon. Mr. Guindon: I would think it would be done as soon as possible. Of course, I expect to be very busy today and tomorrow, but as soon as I can.

Mr. Roy: Oh, come now.

Mr. Lewis: What is the union involved?

Mr. Roy: He can't answer a question from another member.

Mr. Deacon: I think I will pass this along to the member and then he can get his own answer.

Mr. Lewis: It's just local 61. Any local 61. Pick a local 61.

Mr. Speaker: The hon. member for York Centre.

ALBERTA ENERGY POLICY

Mr. Deacon: A question of the Minister of Energy: In view of the discussed oil price increase from $1.90 to $2.20, or whatever it will be, is the minister having any discussions with Alberta as to methods of preventing this increase being passed along to Ontario?

Hon. Mr. McKeough: The discussions would have to be with the government of Canada who are levying the export tax, not the government of Alberta.

Mr. Deacon: The government of Canada has to do with the exports to the States. I am thinking about supplies to Ontario and that isn't affected by the government of Canada. Would the minister ensure that this increase is not passed along to Ontario?

Hon. Mr. McKeough: It is presently frozen, so it is a somewhat academic question.

Mr. Lewis: By way of a supplementary, now that—

An hon. member: That guy.

Mr. Lewis: He has a nickname—now that Premier Lougheed has decided to lift the royalties, with enormous implications for eastern Canada which were spoken to by the Minister of Energy from Ontario yesterday, is there any way the minister might move, on an emergency basis or otherwise, specifically to protect the consumers of Ontario from the necessarily dramatic jump in prices which would flow from the frankly irresponsible practice of Premier Lougheed?

Hon. Mr. McKeough: Without for one minute conceding the point made by my friend from Scarborough in his last sentence about the Premier of Alberta being completely irresponsible, I did not say that in Edmonton yesterday.

Mr. Lewis: The minister said as much himself.

Hon. Mr. McKeough: No, I did not say that.

Mr. Lewis: Oh, yes, he did.

Hon. Mr. McKeough: I learned a great deal about the Lewis family in Edmonton yesterday. I would think the—

Mr. Lewis: We don't have a harem, just a dynasty.

Hon. Mr. McKeough: I would think that the breakthrough you will make in Alberta the next time around will be second only to the breakthrough you didn't make in Quebec two years ago—

Mr. Lewis: As a matter of fact, we are already the official opposition.

Hon. Mr. McKeough: —but they really love you out there. They really love you out there.

Mr. Speaker, to be serious for a moment—

Mr. Lewis: That will be a change.

Hon. Mr. McKeough: There is precisely nothing that this province can do—

Mr. Foulds: Oh, that's true. That's the most startling declaration of the month.

Hon. Mr. McKeough: There is precisely nothing that this province can do to prevent the oil companies from raising their price in Alberta if the freeze comes off, which price then would flow through the pipeline to Ontario. We can't set the price which is set in Alberta, whether it's set by a combination of export tax and costs or on the basis of a royalty. That is purely within the hands of the Province of Alberta and/or the government of Canada.

Mr. E. Sargent (Grey-Bruce): The minister was trying to tell them that yesterday.

Mr. V. M. Singer (Downsview): Mr. Speaker, by way of supplementary—

Mr. D. C. MacDonald (York South): Supplementary, Mr. Speaker—

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: In view of Mr. Shaheen's statement that there apparently will be capacity out of his refinery which will go a long way to easing the difficulties, could the minister tell us whether this will be able to benefit the people of Ontario in any way?

Hon. Mr. McKeough: Mr. Speaker, I heard the news report last night and I heard a little bit more about it at noon today; and we have been trying to find out somewhat more about it. The refinery has been finished and open for a month. How this divine revelation has come to the federal Minister of Energy, Mines and Resources, I don't know; but suddenly out of the blue, 100,000 barrels has appeared.

Interjections by hon. members.

Hon. Mr. McKeough: It is beyond the comprehension of the Ministry of Energy at this moment.

Mr. Lewis: Not at all. It is called a no-confidence motion.

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: A supplementary question, Mr. Speaker: In view of the Minister of Energy's elaborate effort at the Empire Club a week or so ago to show that he had an eight-point area of agreement with Premier Lougheed and Alberta, are not all those points peripheral and inconsequential in the face of the Premier's statement a day or so ago in the House that the cornerstone of Alberta's philosophy on resources is that their depleting resources will not be sold below world commodity prices. Did the minister have any influence at all, in his view, in terms of altering or at least ameliorating that stand to some degree by his storming of the Bastille in Edmonton yesterday?

Mr. Lewis: Some storm, some Bastille!

Hon. Mr. McKeough: Well, Mr. Speaker, I am sure that my eloquence will contribute in some small way to an eventual understanding of the issues on both sides of this particular matter.

Mr. Lewis: It is like Marie Antoinette at lunch.

Hon. Mr. McKeough: It is true that, a couple of weeks ago at the Empire Club, I outlined some eight or 10 points of agreement—

Mr. MacDonald: That was a political façade. Let's deal with reality.

Hon. Mr. McKeough: —between Alberta and ourselves, and I said that there wasn't an agreement in the area of price. I will say this, that I can find myself in agreement with some 10 points out of 11 with Alberta. I agree with my friend occasionally, but I am sure not about to agree with him totally and become a member of that group.

Mr. MacDonald: The amount of our programme that they are stealing over past

weeks suggests more agreement than they'd care to admit.

Mr. Lewis: Supplementary—

Mr. Speaker: We must bring it back here. The hon. member for Ottawa East.

Mr. Roy: Mr. Speaker, while we are discussing the price of oil, in the minister's statement yesterday to the Chamber of Commerce, he seemed to suggest that the $9-a-barrel wellhead price was too high. Does he have any price in mind which this province would be prepared to pay as being reasonable in the circumstances?

Hon. Mr. McKeough: I think two or three months ago one would have said that $4 a barrel was a very reasonable price.

Mr. Lewis: That's right.

Hon. Mr. McKeough: It is obviously something higher than that at this moment. It depends entirely—not entirely—but to some extent it depends on what is going to happen to the increase in price.

Mr. Roy: The minister did not suggest any price?

Hon. Mr. McKeough: No, I couldn't pick a figure out of the blue. The great danger of picking a figure is that the situation changes so very rapidly.

Mr. Sargent: Supplementary, Mr. Speaker—

Mr. Lewis: Supplementary, Mr. Speaker—

Mr. Speaker: The hon. member for York Centre. Surely five supplementaries in sufficient.

Mr. Lewis: Well, I will come back to it.

Mr. Sargent: Supplementary—

Mr. Speaker: All right, the hon. member for Grey-Bruce. It's the last supplementary—no, that's right, the hon. member for Scarborough West should have the next supplementary.

Mr. Lewis: Thank you. Given the point the minister is making about what happens to the increase being relevant, and given his words that Alberta has the responsibility to hold the price of our conventional oil and gas and to protect the nation and the people from what the minister calls "the cartel-ridden, blackmail-ridden world market, introducing to Canada uncertainty, economic instability and windfall profits paid for by the citizens of Canada"—

Mr. MacDonald: That's stealing from our programme, too.

Hon. Mr. Davis: The NDP could never phrase it that way.

Mr. Lewis: Well, as a matter of fact—

Mr. MacDonald: That's the way we have been phrasing it for years. He is just picking it up. He is just stealing from us.

Mr. Lewis: —that comes from paragraph seven of our federal policy statement. All of that aside, I think it does show a modest disagreement with Alberta; and since it implies that, how does the minister reconcile his statement that we in Ontario can do nothing when he knows on the basis of past experience that Premier Lougheed's approach to royalties is to give one-sixth to the public treasury and five-sixths to the oil corporations—which is exactly what was done with natural gas? Why can we not use our powers in this province to say that after Jan. 31, or any other specific date, there will no longer be an increase in these areas of energy supply and energy cost because in Ontario we won't be exploited for the sake of multinational oil companies in Alberta?

Mr. Speaker: I think there were no supplementaries in that statement.

Hon. Mr. McKeough: Mr. Speaker, not having the great economic background of my hon. friend from Scarborough, I suppose one could say that and they would say, "So what!"—and the oil would stop flowing. Just how can we say we will not pay the price which they can charge for their oil?

Mr. Lewis: Oh come on.

Hon. Mr. McKeough: Get off that stuff. Waken up. Just waken up.

Interjections by hon. members.

Mr. Speaker: Order, order.

Mr. Lewis: What is the minister saying? He is going to be held up to ransom by Imperial Oil. Is that what he is going to do? He calls the stock market exploitation and then he says we have to pay. This is the height of irresponsibility. The Ontario Tories, the Alberta Tories, the federal Tories—they are all in bed with the oil companies. All of them.

Interjections by hon. members.

Mr. Speaker: Order, order. The hon. member for—

Mr. Lewis: They should call a federal election on this matter. That's what they should do.

Mr. Speaker: The hon. member for Grey-Bruce.

Interjections by hon. members.

Mr. Roy: They are afraid of a federal election.

Mr. Sargent: Mr. Speaker, the Minister of Energy is talking about divine revelations.

Interjections by hon. members.

ONTARIO INVESTMENT IN ALBERTA OIL PLANTS

Mr. Speaker: Order.

Mr. Sargent: Mr. Speaker, I was asking the Minister of Energy about the endorsing or allowing of 22 to 30 plants with a capacity of 100,000 to 150,000 barrels each day at a cost of $800 million per plant, with an investment in Alberta of about $16 billion to $24 billion—

An hon. member: Question, question.

Mr. Roy: He can make a speech too.

Mr. Sargent: I would like to ask the minister if he would put his money where his mouth is; and would the Province of Ontario be prepared to put a plant out in Alberta in support of his statement here?

Interjections by hon. members.

Hon. Mr. McKeough: Mr. Speaker, that is a possibility that the government is not overlooking at this moment. We would hope that it would be possible for the private sector to assume that responsibility. A total of $800 million doesn't come easily. It seems to me I recall a few weeks ago that the hon. member for Grey-Bruce, when he was on the campaign trail, was talking about the extensive spending. Now he wants to spend another $800 million—just throw it away.

Interjections by hon. members.

Mr. Speaker: Order, order.

Mr. Sargent: How does he justify that in today's Wall Street Journal—

Interjections by hon. members.

Mr. Sargent: How does the minister justify that in today's Wall Street Journal, the president of Syncrude says that one plant every three years is about as fast as development can take place—and the minister is saying to put in plants. The minister doesn't know what he is talking about.

LAND TITLES LEGISLATION

Mr. Deacon: A question of the Treasurer: Does the minister intend to provide recourse in his new legislation which will validate land titles for persons where municipalities refuse to pass a bylaw to validate the land titles?

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Mr. Speaker, these questions should go to the Attorney General.

Mr. Deacon: A question of the Attorney General: What recourse will be available if a municipality should refuse to pass a bylaw validating land titles?

Hon. D. A. Bales (Attorney General): They don't have to pass only one bylaw. They can deal with individual property cases, but that will be in their hands. The option is up to them.

Mr. Deacon: What recourse is available to an individual where a municipality refuses to pass a bylaw validating land titles? Is there a recourse to be available to an individual?

Hon. Mr. Bales: I think that the hon. member is anticipating difficulties that in many cases will not occur.

Mr. Speaker: Does the hon. member for York Centre have further questions? The hon. member for Scarborough West.

URANIUM CONTRACT WITH SPAIN

Mr. Lewis: Mr. Speaker, to the Minister of Energy: What part is the Province of Ontario playing in the negotiation of the present new uranium contract arrangement with Spain on the part of Denison Mines Ltd.?

Hon. Mr. McKeough: None, Mr. Speaker.

Mr. Lewis: May I just ask one supplementary question? Will the minister explain how it is that an energy resource which he, himself, described in his report in June as indispensable to the future energy requirements of this province, can be philandered with so easily by a private company, in conjunction with other national governments,

without the intervention of the Province of Ontario? There are 54 million lb being negotiated for, with Spain, up from the present contract of only 6.5 million lb and seriously intruding on the existing reserves for the people in this country?

Hon. Mr. McKeough: Mr. Speaker, I don't accept that latter point. I think we discussed this before. I said then to the hon. member that control of uranium was seized from this province and other provinces in 1947.

Mr. Lewis: Seized?

Hon. Mr. McKeough: It is under the control of the government of Canada. If the member would have a little word with his father about next Monday, perhaps we could get that straightened away very quickly.

Interjections by hon. members.

Mr. Lewis: I have, and we will.

Hon. Mr. Davis: Is that a guarantee?

Mr. MacDonald: A supplementary question to the Minister of Energy: Since the requirements for Ontario Hydro from now until the end of the century are 80,000 lb, which equal all of Ontario's—

Hon. Mr. McKeough: Tons.

Mr. MacDonald: Sorry, 80,000 tons; the minister is right. This represents all of Ontario's proven reserves, at less than $10 a pound—

Hon. Mr. McKeough: No.

Mr. MacDonald: Well, I'm sorry, yes; it is from an authoritative document of Hydro. Eighty thousand tons of all the proven reserves, at less than $10 a pound, that are not now committed to export contracts.

Mr. Lewis: That's right.

Mr. MacDonald: How come Denison and Hydro are not in the picture, and the minister is not in the picture in his pressure on the federal government to protect these resources of low-cost uranium for Ontario? Or are we going to be caught up on this $18, $20, $25 a pound price for our uranium resources in Ontario for Hydro needs?

Hon. Mr. McKeough: Mr. Speaker, these are exactly the same questions which were asked the other day.

I don't accept the premise which is in the question to begin with, and that is that on the basis of these two sales we are headed toward some sort of a shortage. Hydro delineated, and the Advisory Committee on Energy, as I remember the figures, indicated that between now and the year 1990 Hydro would need to commit something like 160,000 tons of uranium—or perhaps that was the year 2000, I've forgotten—of which there were known reserves now of 190,000 in Ontario.

Obviously we have to get exploration under way. Obviously we have to start finding. The whole industry has been dead for a number of years. There are many people who think the proven reserves, with a very little bit of exploration, will turn into something like 400,000 tons of uranium at a slightly higher price.

It also has to be remembered that the price, of uranium in the cost of power, of course, is not nearly as sensitive as would be the case if we were talking about oil or gas or coal.

I would simply point out to the member that I am on record since last June. We have made representations to the government of Canada on several occasions; we will be doing so again, more formally. We have urged, and I urge again now in this House, as I have to the federal minister, that we should bring uranium under some sort of formula similar to that which is now being used by the National Energy Board in terms of natural gas.

We have made that representation. If it will make the member happier, we will make it again. But I would like to think that the government of Canada, sooner or later, will come off the mark and do something about this.

Mr. MacDonald: A final supplementary, Mr. Speaker: Has Ontario Hydro got contracts; and if so, for what length of time and at what price for uranium? Is it less than the $10 a pound which is specified as a level they have apparently been operating on now?

Hon. Mr. McKeough: No; I obviously haven't seen the contract. As I understand it, the price is based on a 1982 price of $22 or $24 on average. If one discounts that back it comes out to something more than the price Hydro presently pays for uranium under contract. And that price happens to be slightly higher than the world spot market.

Mr. Speaker: The hon. member for Scarborough West.

HALL LAMP CO.

Mr. Lewis: A question of the Minister of Labour: As the days pass, can the minister

give us any further undertaking about the termination benefits for all employees at Hall Lamp, both those in the union and those in the managerial section, being paid by the company—given what is now clear, an absolute shutdown of the plant into receivership—with an entitlement of 12 weeks pay for 400 employees, some $750,000?

Hon. Mr. Guindon: Mr. Speaker, I did meet this morning with a delegation of eight employees, all from the management of Hall Lamp Co. of Canada Ltd. Also present at the meeting were the hon. member for Huron, my deputy minister, the Deputy Minister of Industry and Tourism and the chairman of the Ontario Development Corp. and supporting staff.

The delegation expressed great concern about the benefits which are owed to the employees, but also expressed perhaps more concern about the jobs which seemingly are in jeopardy at this time. Many alternatives have been looked at during our discussion which, by the way, I must say was very productive by all parties, and we discussed many alternatives. One of them was certainly the one referred to by the Premier earlier today.

We came to the conclusion at this point in time, because a receiver has been appointed in this case, that we don't have enough information. We are waiting for full information from the receiver. He is trying to collect information. It's a very complex situation. There are more than one or two or three companies involved. We are hoping as soon as we get the information to see what action can be taken. Right now it would be too premature, and no Minister of Labour could give the member the answer to that question.

Mr. Lewis: Does the minister mean that as Minister of Labour he cannot tell me whether or not he will honour the requirements under the Employment Standards Act or whether they will be honoured?

Hon. Mr. Guindon: At this point in time, Mr. Speaker, we certainly want to apply every provision of the Employment Standards Act. However, I am not in the position to know, until the receiver gets all the information, where we're at.

Mr. Deacon: Supplementary: Can the minister tell us if the back wages and severance wages are a first charge on the assets, ahead of any secured creditor?

Mr. I. Deans (Wentworth): They're not.

Hon. Mr. Guindon: Mr. Speaker, I would say that the vacation pay comes first. At least, the intent of the legislation was for vacation pay, because it's salary which accrues with time.

Mr. Singer: They are preferred for three months—

Mr. Lewis: Not the termination pay.

Mr. J. A. Renwick (Riverdale): Not termination payments.

Hon. Mr. Guindon: I think the delegation mentioned the fact that they have been assured of vacation pay in any event. However, as I say, we don't know how much money is in there. Until the receiver gives us all the information, we cannot make any assessment.

Mr. Deans: What's the use of the minister's Act?

Mr. Deacon: Surely the minister can tell us, if his legislation does not now have provision for being a first charge, he will provide in new legislation that severance pay of three months will be a first charge as well as wages and holiday pay.

Hon. Mr. Guindon: Mr. Speaker, it's far more complicated than my hon. friend would think. We are talking here, I imagine, in terms of a bankruptcy. The Bankruptcy Act comes under the federal government.

Mr. Lewis: No, it's not a bankruptcy; it's a receivership.

Hon. Mr. Guindon: Well, as it is now. That's why I am waiting for the information. If the money is there we will be there. Don't worry. We have been collecting millions of dollars during the last year. I have concern for the employees, but it's got to be there. We don't know yet. It may be there.

Mr. Speaker: The hon. member for Scarborough West.

ERIN TOWNSHIP GRAVEL PIT

Mr. Lewis: I have one last question of the Minister of Natural Resources, if I may, Mr. Speaker. Is the minister aware of the public discontent which is growing about a certificate which he granted for the opening of a gravel pit in Erin township, and can he tell us something about that? I think it's on the edge of the Escarpment.

Hon. L. Bernier (Minister of Natural Resources): No, Mr. Speaker, I am not aware of this particular licence and the problems associated with it.

Mr. Lewis: Would the minister be good enough to get some information about it—I gather that a licence has recently been granted—and give the information to the House?

Hon. Mr. Bernier: Yes, Mr. Speaker, I'd be glad to report to the House.

Mr. Speaker: The hon. member for Hamilton Mountain.

MARKETING OF NON-ALCOHOLIC WINE

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations: Is the minister aware of the extent to which the Liquor Control Board of Ontario is co-operating in the marketing of newly introduced de-alcoholized or non-intoxicating wines and champagnes which now are available on the Ontario market?

Mr. Roy: Is the member sure it has no alcohol?

Mr. Deans: Would he try it again?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, I can only conclude that my colleague has had some trouble with his plate or something in that he didn't ask that question at noontime over, perhaps, some of those liquids he refers to. I have been contacted by a particular group of individuals who hope to market non-alcoholic wine, if there is such an expression, Mr. Speaker, within this province. It is a product that apparently is sold in certain jurisdictions in Europe. They have contacted me and I, in turn, suggested that they meet with the Liquor Control Board but whether or not those meetings have been conducted I don't know.

Mr. J. E. Bullbrook (Sarnia): If I may digress with your permission for a moment, Mr. Speaker, to bring to your attention and the attention of our colleagues the presence in the members' gallery on the government side of a former colleague of ours, the former member for Ottawa-Carleton. And to Mr. Erskine Johnston, may I express on your behalf and ours, our pleasure at how well he looks.

By way of supplementary to the minister, would the minister—not because of the presence of our colleague with respect to this subject—consider the propriety of amending his regulations to compel the liquor stores and the licensed outlets to carry this type of product to give the public the availability of non-alcoholic content as they do in the Scandinavian countries. Second, as I mentioned during the estimates, in unison with his colleagues, the Minister of Health (Mr. Potter) and the Minister of Transportation and Communications (Mr. Carton), would he consider the propriety of advertising during this season the availability of this type of product with respect to safety conditions on the highway?

Hon. Mr. Clement: Mr. Speaker, it would be my impression that a change in the regulations would not have the effect referred to by the hon. member for Sarnia. I think the legislation itself would have to be changed because the legislation gives the Liquor Control Board the right and power to deal with liquor as it is defined. Liquor is defined as to the amount of alcohol content. I would think that if the board were going to move in this direction, the legislation would have to be changed.

I think, with reference to the second part of the member's question, the policy of the government would have to be considered as to whether the Liquor Control Board should be in the business of marketing or advertising products other than those which are already handled by it. As members know, the board, per se, does not advertise any particular form of alcohol. There would have to be a policy decision developed as to whether the board should embark on this area of activity and whether the board, in addition to marketing non-alcoholic wine or encouraging its consumption, should perhaps deal with milk and soft drinks and things of that nature.

It might get into the position of being criticized for endorsing a commercial product which is in competition with other non-alcoholic products within the province. There would have to be a decision made at that time, first, on the change in legislation, if that came about, and second, the policy decision would have to be made.

Mr. Bullbrook: A supplementary: Do I take it that the minister is knowledgeable of the fact that the authorities in Ottawa have defined this product as a wine; it isn't a pop or a milk?

Hon. Mr. Clement: It may be defined as a wine there. Under our legislation I submit, Mr. Speaker, we don't have the jurisdiction right now to deal with anything but liquor. Liquor as defined can include wine, beer and beverage alcohol in every form. They do have a driver's beer, they tell me, in Germany which has a very low alcoholic content and which at this particular time of the year is a very popular item and is, in fact, sold at licensed outlets in Germany, presumably purchased by drivers of cars who wish—

Mr. Sargent: We could stock it downstairs.

Hon. Mr. Clement: —that they could consume beer without the necessary evil that follows it.

Mr. J. R. Rhodes (Sault Ste. Marie): It would grow old waiting for the member for Grey-Bruce to use it.

Mr. Roy: Mr. Speaker—

Mr. Speaker: The hon. member for Sarnia did indicate he had a question previously.

Mr. Bullbrook: No, I haven't.

Mr. Speaker: It's taken care of. All right, the hon. member for Ottawa East then is next.

ENERGY RATIONING

Mr. Roy: Yes, thank you. Mr. Speaker, I would like to direct a question to the Minister of Energy, relative to the legislation which was introduced this week, I think, in the federal Parliament dealing with the rationing, not only of oil products, but of natural gas, coal and electricity. Obviously some of these matters are under the provincial jurisdiction, certainly the question of electricity.

My question simply, Mr. Speaker, is this. First of all, was the minister consulted relative to this legislation prior to its introduction? Secondly, would he be prepared, or is the government that the minister represents, prepared to co-operate in any of this rationing in relation to Hydro?

Hon. Mr. McKeough: Mr. Speaker, in answer to the question on consultation, no, I don't think it's fair to say we were consulted. At the meeting of mines ministers and ministers of energy, Mr. Macdonald indicated the situation was serious enough in his view that legislation should be introduced. The legislation perhaps goes somewhat further than we had expected. I'm not hung up about that at all.

There has been some question raised as to its constitutionality. Our law officers have had a quick look at it and would agree it goes forward under peace, order and good government and, I think, under trade and commerce as well.

So I don't think there's any question there, not that that would matter insofar as the government was concerned.

As to the member's second question, will we co-operate? Yes, we will.

Mr. Roy: Just one supplementary on this point, Mr. Speaker: Is the minister saying that, as Minister of Energy in this province, he is prepared to give up some of the jurisdiction or some of the powers he has, let's say, over Hydro in the public good—in other words, to give it under this particular piece of legislation to the federal government under a rationing programme?

Hon. Mr. McKeough: I don't think there's any question about that, Mr. Speaker. If it became necessary, I'm certain the government would want to act in the interests of all of Canada.

Mr. Speaker: The hon. member for York South.

Mr. MacDonald: I have a supplementary question, Mr. Speaker of the Minister of Energy. We've got to keep him busy today. What research and development programmes are there in Ontario into new sources of energy, either through private or public auspices? Specifically, is there any study being made with regard to the use of solar energy and, specifically, what study has the government conducted in conjunction with Waterloo University on the possible development of methane gas? The OFA convention last week was informed that the potential from this source alone, from manure and other farm waste, is an incredible one-third of our current gas consumption in Ontario. What's happening in that field?

Hon. Mr. McKeough: Mr. Speaker, that was one of the reasons that the Advisory Committee on Energy was set up by this government two years ago, to look at new sources of energy. They did so. Their report and back-up reports contain evaluations of all the things which people are talking about—solar power, geothermal energy and so forth.

The member specifically asked about solar power. I don't think Ontario is ever going to be in the forefront of that field. Unfortunately, much as we don't like to admit it, we don't have as much sun as some other

parts of the world. It's a much more likely candidate for the southwestern United States or for Spain but not probably for Ontario.

In any case, the member's colleague from Sandwich-Riverside (Mr. Burr) has released a paper to the press on this whole subject, as I understand it. He points out there that Mr. Nixon should have spent something like $14 billion to investigate solar energy. That isn't within the resources of the Province of Ontario. We monitor these situations.

The government has made through Ontario Hydro and directly a significant contribution, I think, to future energy sources in terms of our development of the CANDU reactor and the associated heavy water facilities that go with it. If we continue that programme I think we will be doing a great deal in something which is straining Ontario's facilities to do just that—

Mr. Sargent: And the budget too.

Hon. Mr. McKeough: —without necessarily charging off and looking at other forms of energy which are going to be fantastically expensive to develop. Quite frankly, I think many of them are beyond the resources of this particular jurisdiction and perhaps beyond the resources of the country as a whole. We continue to monitor them and will do so.

Mr. T. P. Reid (Rainy River): A supplementary.

Mr. MacDonald: A supplementary: The minister didn't address himself to the other question.

Mr. Speaker: I think the member who asked the question should be entitled to the first supplementary.

Mr. Reid: He has already had one.

Mr. MacDonald: I have not.

Mr. Reid: All right, go ahead.

Mr. Speaker: The member for York South has the floor.

Mr. MacDonald: Thank you, my dear friend. Since we have a fair amount of farm manure around Ontario, along with other farm waste—

Mr. L. M. Reilly (Eglinton): Get a fork.

Mr. MacDonald: I had that on the authority of the Minister of Agriculture and Food (Mr. Stewart). Since this is the source for the production of gas, what is being done by the government in conjunction with studies underway at Waterloo University to develop this source because this is available; it is indigenous?

Hon. Mr. McKeough: Mr. Speaker, my knowledge in this area is somewhat limited and I certainly bow to the great knowledge of the member for York South, who I think knows more about this subject than anyone in this whole House.

Mr. MacDonald: I got it all from the Minister of Agriculture.

Hon. Mr. McKeough: Because of his knowledge and his obvious interest in the subject he is obviously recommending it to the government for its study and certainly I will do just that, because I respect so much—

Mr. J. E. Stokes (Thunder Bay): He has been looking at an abundance of it over there for a long time.

Hon. Mr. McKeough: —my friend's expertise in this whole field of manure.

Mr. MacDonald: I hope the minister feels better. He was certainly tub-thumping.

Mr. Speaker: The time for oral questions has expired.

Mr. Sargent: Saved by the bell again.

Mr. Speaker: Petitions.

Presenting reports.

Hon. Mr. McKeough tabled the report, "Hydro in Ontario—A Policy for Make or Buy, Report No. 5."

Mr. Speaker: Before we move to the next item I have received word that a former member of the former Chicago gang, Mr. Lou Hodgson, who was the member for Scarborough East, is with us today.

Mr. MacDonald: I hope he realizes how many are left around here.

Mr. Speaker: Motions.

EXTENSION OF HOURS OF SITTING

Hon. Mr. Winkler moves that commencing tomorrow, Thursday, the House will meet at 10 a.m. and will rise for luncheon interval from 12:30 until 2 p.m.

Mr. Speaker: Shall the motion carry?

Mr. Lewis: No. Before it carries—the government is obviously going to ram it through —I just want to express a very clear objection to this procedure. There is no need for

it. If the minister didn't bring in legislation at the last minute as he did yesterday, three or four significant pieces of legislation, then we wouldn't be hammered into this end-of-the-week routine.

Hon. A. Grossman (Minister of Revenue): Like the Corporations Tax Act.

Mr. Lewis: God knows how late the government will want to go tomorrow night. It makes excellent sense to come back on Monday or Tuesday of next week and to deal with the business in a calm and rational way, rather than to start the whole thing over again. I just don't see why the minister feels he has to do this every time in the endless repetition of the 11th-hour attrition game.

If he is going to do it, fine, but it seems to us that when the government brings in major amendments to the Workmen's Compensation Act, major amendments to the Employment Standards Act, major amendments to the Planning Act—and it brings them all in Tuesday and wants to run them through every stage this week—and the government has supplementary estimates and it has budget debate, and it has bills outstanding, it shouldn't start the 10-in-the-morning sittings. What it should do is simply plan to come back next week and finish the business off in the normal hourly procedures.

I don't see that there is anything wrong with that. I remind the minister that we have only sat 22 or 23 weeks this year, that we are now being paid at a full-time rate; there is nothing wrong with continuing to meet next week.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, in reference to being paid for a full-time job, I want the hon. member to know he is, but not me.

Mr. Lewis: What does the minister mean, not him?

Hon. Mr. Winkler: It is not effective until Jan. 1. Now, Mr. Speaker, I hope that was taken in the—

Mr. Lewis: The minister is retroactive to Oct. 1 like anybody else.

Hon. Mr. Winkler: No, we are not.

Mr. Lewis: Oh yes he is.

Hon. Mr. Winkler: That is not so.

In any event, Mr. Speaker, I want to say this. At the beginning of this fall term I made a commitment to the House that we would not sit late evenings and we didn't, excepting one night by desire of the members, and we didn't complain about that.

I have no compunction about telling the hon. member that we, too, will be delighted to sit next week, right, but if I read the feeling of the members correctly—and, indeed, some of the leader of the NDP's members—I think that the effort of 2½ hours tomorrow is worthwhile putting forward to the members of the House for their consideration.

If I am to take very seriously the words of the leader of the NDP and he says it's not necessary, I'd be delighted to withdraw the motion. Other than that, Mr. Speaker, I would like the motion to stand.

Mr. Lewis: It is not necessary—withdraw it. What's necessary about it?

Hon. Mr. Grossman: What about that debate last night?

Mr. Deacon: From our point of view, we are certainly prepared to come back next week. We are prepared, though, to sit early tomorrow and co-operate to that extent but not to sit late at nights. We do feel that the last-minute introduction of legislation which goes on time after time after time is absolutely inexcusable.

Mr. Lewis: It is just irresponsible.

Mr. Deacon: We would hope that the minister's leader would sort out the affairs of his government better, rather than having the same thing happening year after year.

Hon. Mr. Winkler: Mr. Speaker, I don't wish to be irritated into being irascible today because I want to inform the hon. members and the House that the—

Interjection by an hon. member.

Mr. Singer: This isn't your irascible day?

Hon. Mr. Winkler: Whatever the member for Downsview said I might not agree with him, but I'll take it as notice. I want to say this, Mr. Speaker, that contrary to what the hon. member has just said, I want him and the House and, indeed, the people of this province to know that the conduct of business in this session has been absolutely tremendous.

Mr. Lewis: It has been chaotic. From one day to the next.

Interjections by hon. members.

Hon. Mr. Winkler: I listened to the member. The flow of legislation has indeed been orderly. There are some instances in the department of my hon. friend to my left which require certain last-minute changes and indeed no one can deny that that's the reason sometimes that these things occur. Let it not be said that it hasn't been orderly and good and productive, for which I will also thank the hon. members across the House and I'll be that generous.

I don't want anyone to think I am cramming anything down their throats by moving this motion for tomorrow. I am simply agreeing with the member and I'm trying to be co-operative. If we have to come back and sit next week, indeed, I shall be here in my seat all week.

Mr. Lewis: Good.

Hon. Mr. Winkler: But I ask that the motion be put.

Mr. MacDonald: Mr. Speaker, before the motion is put—

Mr. Bullbrook: I want to address myself to one aspect of the motion and that is the comments made by the hon. House leader with respect to the orderly and good order of business. I want to bring to your attention, Mr. Speaker, that the opposition of this province was allowed 10 hours to debate the estimates of the Ministry of Health, an expenditure of $2.2 billion.

Interjections by hon. members.

Mr. MacDonald: Mr. Speaker, this is the appropriate place where I would like to make a brief comment, a conclusion after a number of years around this Legislature. I address it to the House leader and through him to the Premier for consideration.

We've just been reminded once again in this House that as a rule we are full-time members. This House has met this year for less than six months and I submit to the House leader that the kind of situation he is now thrusting on the House is a product of the fact that we are not sitting for an adequate time. Now that the government has said that it is a full-time job, let's operate on the assumption that it is a full-time job.

Interjections by hon. members.

Mr. MacDonald: In my view, this House should be sitting at least eight months a year and we should be meeting early enough in the year—if some of the part-time members aren't interested, let them just tune out for a moment.

Interjections by hon. members.

Mr. Speaker: Order. Order, please.

Mr. MacDonald: We should be sitting early enough in the year, adjourning at the end of June for a normal summer kind of break with our families and for constituency work, and resuming early enough in the fall to finish the business so that the government doesn't have to ram it through in this kind of congested way as we did at the end of every session.

Mr. Lewis: We should have several days to look at these bills.

Interjections by hon. members.

Mr. Lewis: We should have a week or two to look at these bills.

Interjections by hon. members.

Mr. MacDonald: In that same connection, after having kidded us and the public that this was a full-time job—

Interjections by hon. members.

Mr. MacDonald: —on previous occasions when some of the members weren't even around here—

Interjections by hon. members.

Mr. Speaker: Order. Order, please.

Mr. MacDonald: Have I still got the floor, Mr. Speaker?

Interjections by hon. members.

Mr. MacDonald: After having in earlier years kidded the public that this was a full-time job, then cut back on the time available to this House to deal with important estimates such as Health, and when we are sitting less than six months of the year, I submit to you, Mr. Speaker, that the time has come for whatever help you can give to a reconsideration of the rules of the House, which are a calculated straitjacket to restrict discussion and time on such important things as estimates.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. MacDonald: When we are sitting in this Legislature for eight or 10 months, at that time the government can begin to say that we are running out of time and we

shouldn't be giving adequate time to such things as the expenditure of $2 billion. But the proposition of a time straitjacket which restricts true consideration, when the House has been sitting less than six months in this year, is not the kind of thing the government can defend and it shouldn't even attempt to defend it.

Hon. Mr. Winkler: Mr. Speaker—

Mr. Singer: Mr. Speaker, may I just add to this? I am particularly concerned about one piece of legislation that was brought in yesterday, Bill 264, the Planning Act.

Mr. Lewis: That's right.

Mr. Singer: Although it is marked on the order paper as being printed, and although I've had several inquiries from persons who are concerned about planning matters—and I endeavoured to obtain copies for them— the Clerk advised me at the commencement of proceedings today that the bill will not be here until 8 o'clock.

Mr. Lewis: That's right.

Mr. Singer: My suspicion is that it will be called for second reading tomorrow morning.

An hon. member: It better not be.

Mr. Singer: It is a complicated bill and it contains a lot of very involved and far from clear legal concepts. I would think there are a lot of people in the community who are knowledgeable and concerned about the method by which the government proposes to deal with it.

Mr. MacDonald: Orderly control of the business of the province, says the House leader.

Mr. Singer: I would think it is only logical and fair, Mr. Speaker, that this bill sit for several days on the order paper; that copies be available not only to the members of the Legislature, but to members of the public who are concerned about these matters; that the bill be sent to a standing committee so that we can hear representation— because I don't think we are going to solve the kind of problems that planning control involves by pushing this bill through the House in a matter of a few hours. I think it is grossly unfair.

So, I'm not concentrating my remarks on things that have gone before, but having had a very brief look at the one copy of the Act that was made available to us —and I may say that four or five of my colleagues are equally interested in it—we've had great difficulty in passing around one photo copy of the bill that isn't even printed yet and that probably will be called for second reading tomorrow morning—

Mr. Bullbrook: It is very important.

Mr. Singer: —I think that if it appears that we are going to finish this week, that bill at least should sit on the order paper until next spring. Or, if the government wants that bill through now as part of the present business of the House, let it sit until next week and let it go to the appropriate standing committee so that we can get a variety of views of municipal people and other people who are concerned with planning aspects.

Mr. Speaker: Does any other member wish to speak to the motion before we put the motion?

Mr. M. Cassidy (Ottawa Centre): I just want to speak.

Hon. W. A. Stewart (Minister of Agriculture and Food): That's one of the great reasons.

Interjections by hon. members.

Mr. MacDonald: We haven't sat six months in this House this year.

Interjections by hon. members.

Mr. Speaker: The member for Ottawa Centre has every right to speak. Order please.

Interjections by hon. members.

Mr. Cassidy: Thank you, Mr. Speaker. You know, Mr. Speaker, I have suffered under the mismanagement of bills and legislation in this House ever since I've come here because of the chaotic and awkward way in which bills have been introduced and because of the traditional flood of important legislation in the municipal field which always comes in at the end of the session. Two weeks or a week before June, two weeks or a week before the December close down—that's when we see major legislation.

Hon. Mr. Stewart: Absolute excess of verbosity.

Mr. R. K. McNeil (Elgin): Wasting the time of the House.

Mr. Cassidy: I would just like to add my voice to that of the member for Downsview in referring specifically to the amendments

to the Planning Act, which is before us now. I would very much like to have the time to talk with planners and other people across the province about the importance of this particular legislation.

Mr. Lewis: Tomorrow morning I'd like some time to look at this legislation.

Mr. Cassidy: The bill has not yet been printed. We've sent one or two photo copies around, but we can't keep the copy machines running all night in order to do it; nor should we have to, Mr. Speaker—nor should we have to. I am sure there are members in this House who would like to check this out with people affected at the development end of the business, and that's legitimate too. They should not have to be cranking out copies on Xeroxs, holding hurried hallroom or backroom consultations in half an hour, and trying to understand major legislation like this; but it happens again and again, Mr. Speaker.

In this particular case one of the major parts of this bill, development control, was promised in the spring at the time the city of Toronto's application for demolition controls was rejected. The regularizing of problems created by checker-boarding has been on this government's agenda for a period of two or three years now.

The plan to decentralize planning powers and approval powers for municipalities was announced to municipalities about two months ago, and has been in the works as far as this minister is concerned for a period of seven or eight months.

Every time the legislation comes in so late and wet get put in this bind, Mr. Speaker, I ask myself what on earth is happening over there in the cabinet and cabinet committees; what's happening with the House leader, the Chairman of the Management Board that he can't get the legislation out here before us? Why are things so chaotic; why can't this particular House leader run the business of the House? Why do we always get into this bind?

I hope, Mr. Speaker, that we do not sit late. I hope that we have a commitment from the House leader that whatever happens to this particular resolution we will not sit past 10:30 tonight or tomorrow night; and I would hope that at the least, as a very small mercy, we could deal with the planning bill in a normal or relatively normal fashion, next week.

Mr. E. R. Good (Waterloo North): On the matter of extended hours of sitting, as has been mentioned we are prepared to meet early in the morning; but under no circumstance, I would hope will we be back here at 2, 3, 4 o'clock in the morning trying to grind through bills to get out by a certain date. We are prepared to come back next week and we think we should come back next week to deal adequately with any legislation.

I have spoken to members opposite who agree wholeheartedly that we should not be trying to put through legislation at 2 and 3 and 4 o'clock in the morning, as we have been forced to do in the past.

One point has been drawn to my attention; these are figures from our research people, Mr. Speaker, and I think this is very significant when we speak about the manner in which legislation is dealt with in this House. When I first came into this Legislature six years ago our figures showed that 72 per cent of the legislation going through this House went to standing committees where the public had an opportunity to deal with the legislation and had an opportunity for some public input and public thought, so that amendments could be made and points made. The record as it now stands is that 14 per cent of our legislation goes to standing committee and the rest is bulldozed through here in such manner as has been described.

The unfortunate part, Mr. Speaker, is that when we are meeting deadlines to get out of here, as we had to meet last June 26 before the Queen's visit, His Honour gave assent to 45 bills, and I counted them as they were read out by the Clerk of the session, that had all been passed within the last two or 2½ weeks. This is not giving proper consideration to the business of this House, Mr. Speaker.

I would just like to make the point that we want adequate time, especially to deal with legislation. We have confined ourselves to the limitations put on us by mutual agreement for estimates, but when it comes to legislation, and particularly this Planning Act, the point was well made by the member for Downsview—

Mr. Lewis: The Employment Standards Act is the same, and the Workmen's Compensation Act; we should have a week or two.

Mr. Good: The member for Downsview pointed out that this bill has to be given adequate consideration, and I would hope that in no way will the House leader or the government be considering extended sittings into the small hours of the morning.

Mr. Lewis: When are we going to deal with it? We have meetings tomorrow morning to deal with—

Mr. Speaker: Order. Does any other member wish to speak to the motion?

Hon. Mr. Winkler: Mr. Speaker, thank you very much, and I will be as brief as I possibly can.

First of all, I certainly can't allow the member for York South to say the rules are designed to deceive the public or that we have deceived the public in the House too, because I sat on the rules committee; the member's leader sat on it; the former member for Windsor sat on it. I remember an article printed in the Globe and Mail saying that it was the fairest method of drawing the rules that they have seen.

Mr. MacDonald: On a point of order, Mr. Speaker, I didn't say the rules were designed for that. I said that many times the public had been deceived into the belief that we were at a full-time job and the rules have been so restricted to make it a half-time job. That's what I said.

Mr. Roy: The member didn't say that. He had better check Hansard.

Hon. Mr. Winkler: That is equally ridiculous but I am not going to get into that argument. Mr. Speaker, if the hon. member doesn't think it's a full-time job, I will tell you I will vouch for it that it's a full-time job. And that's that.

Mr. MacDonald: He has been semi-retired. When he leaves I hope he is as busy as I am.

Mr. Lewis: I must say that mismanaging this House is a full-time job.

Hon. Mr. Winkler: Mr. Speaker, in answer to the last member who spoke, I gave a commitment to the House at the beginning of this last portion of the session that we wouldn't sit late at night and we haven't and I don't intend to.

Mr. Cassidy: We did last week when the government jammed through the pension bill.

Hon. Mr. Winkler: Pardon me?

Mr. Lewis: We sat to 1 o'clock in the morning on the $50 grant to pensioners. It was completely unnecessary.

Mr. Cassidy: It was totally unnecessary.

Hon. Mr. Winkler: Not by motion.

Mr. Speaker: Order.

Hon. Mr. Winkler: I want to tell you, Mr. Speaker, there are a tremendous number of people in this province who are glad we did sit that night. There is no doubt about that.

Mr. Cassidy: Don't give us that garbage.

Mr. E. W. Martel (Sudbury East): Come on, Scrooge.

Hon. Mr. Winkler: I want to get around to the picture painted by the last speaker, the member for Waterloo. I said I gave that commitment at the beginning of the session, I am maintaining it, I am keeping it. I will tell the members that all I am really doing in moving this motion is giving the members some little additional time to discuss whatever they want to discuss.

Mr. Lewis: What does the minister mean?

Mr. Roy: What about the—

Hon. Mr. Winkler: Have no fear that anybody in our caucus doesn't want to come back next week. We will be here.

Mr Lewis: Then why the morning sessions?

Mr. MacDonald: Double talk.

Hon. Mr. Winkler: I ask that the motion be put.

Mr. Lewis: On a point of order, Mr. Speaker, one of the things which surely members of the House should have the opportunity to do, if they are going to be presented with legislation within 48 hours of its introduction, is to meet with the people affected—some of whom we had intended to meet with tomorrow morning. One of the bills is pretty crucial. If we are coming back next week, withdraw the motion.

Mr. Speaker: Order, please, order. It is really not a point of order.

Mr. Lewis: Let the motion be withdrawn if we are coming back.

Mr. Speaker: It is not a point of order.

Interjections by hon. members.

Hon. Mr. Winkler: It has nothing to do with it.

Mr. Lewis: Why is the minister doing this if we are coming back next week?

Mr. Speaker: Order.

An hon. member: What about all the scandals over there?

Mr. Speaker: It is very obvious why this House has the reputation of being the most unruly in Canada.

Mr. Lewis: It is unruly, with respect. If we form a government it will not be unruly.

Hon. Mr. Stewart: It will be dictatorship then, believe me.

Interjections by hon. members.

Hon. Mr. Winkler: Wild-eyed Socialists, every one of them.

Mr. Speaker: Order. Order. Order, please! Order!

Hon. Mr. Winkler moves that commencing tomorrow, Thursday, the House will meet at 10 a.m. and will rise for luncheon interval from 12:30 p.m. until 2 p.m.

Those in favour of the motion please say "aye."

Those opposed please say "nay."

In my opinion, the "ayes" have it.

I declare the motion carried.

Motion agreed to.

Hon. Mr. Grossman: The opposition members don't want to work the extra two hours?

Mr. Deans: Be sure the Tories are all here.

Hon. Mr. Winkler moves that the select committees and commissions of the House be authorized to release their reports during the interval between sessions by filing the official copy with the Clerk of the House, which filing shall be reported to the House at the convening of the next session.

Motion agreed to.

Mr. Singer: Why?

Mr. Bullbrook: Could the minister explain for a moment why that is necessary? I would have thought, if I may say, that he would be more concerned about telling us how much money these people spent. For example, land drainage. How much did that cost the public purse? Could he explain what is the necessity for this motion, please?

Hon. Mr. Winkler: One of the reasons for the motion, Mr. Speaker, is that, for instance, the next report on the Legislature might well be filed, doubtless, prior to the opening of the House, and I have that most prominently in my mind.

Mr. Bullbrook: I wonder how can he deal with the matter without the House being in session? Are we into a true dictatorship now or oligarchy? Doesn't he need us?

Interjections by hon. members.

Mr. Lewis: The minister has no respect for this House at all—none at all.

Interjections by hon. members.

Mr. Lewis: He thinks this House is a toy to be played with. He doesn't care about public business being managed at all.

Interjections by hon. members.

Mr. Lewis: The unruly conduct is—

Hon. Mr. Winkler: I apologize for that introduction. I hope my friend will too.

Mr. Sargent: It will be in Hansard. It is all right.

Mr. Speaker: Motions.

Introduction of bills.

MUNICIPAL ACT

Hon. Mr. White moves first reading of bill intituled, An Act to amend the Municipal Act.

Motion agreed to; first reading of the bill.

Hon. Mr. White: Mr. Speaker, this bill authorizes municipalities to reserve lanes for public transit vehicles and extends municipal control over private swimming pools to prohibit their use until the prescribed fences and gates are erected.

Interjection by an hon. member.

Hon. Mr. White: Councils will also be allowed to delegate their authority to deal with corrections, cancellations, reductions or refund of taxes to the assessment review court. The bill also provides for changes to facilitate the levying of interim taxes and a number of other minor amendments. This bill will be taken through the legislative process by my parliamentary assistant, the hon. member for Grenville-Dundas (Mr. Irvine).

Mr. Lewis: Mr. Speaker, I have a question. Is that bill to be taken this week?

Hon. Mr. White: Well, really it is—

Mr. Lewis: Is it the Treasurer's intention to do it before the end of this session?

Hon. Mr. White: This week or next week.

Mr. Lewis: Yes.

REGIONAL MUNICIPALITY OF DURHAM ACT

Hon. Mr. White moves first reading of bill intituled, An Act to amend the Regional Municipality of Durham Act, 1973.

Mr. Speaker: Those in favour of the motion please say "aye."

Those opposed please say "nay."

In my opinion the "ayes" have it.

Motion agreed to; first reading of the bill.

Mr. MacDonald: That bill could have been in six months ago.

Hon. Mr. White: The member doesn't even know what is in it.

Mr. Lewis: He knows what is in it; I told him. This bill should have been in in April or May.

Hon. Mr. White: This problem arose this week.

Mr. Speaker, this bill clarifies the provisions of the legislation regarding the supplementary pension benefits of police officers and is in line with changes we will be making to the west of Metro regional bills. The provisions of this bill make it clear that police officers already entitled to supplementary benefits will continue to receive them, and that all members of the regional force will receive such benefits accruing after Jan. 1, 1974. In addition the bill provides that the police association may negotiate with the regional police commission for contributions for past services in such supplementary plan.

Mr. Speaker, this bill will be taken through the legislative process by my parliamentary assistant, the hon. member for Grenville-Dundas.

Mr. Lewis: Question, Mr. Speaker: Is the Treasurer intending to put that through before the session ends? I take it that is his intention. That is his intention? Okay.

Mr. Cassidy: Mr. Speaker, would the minister permit a question? Could he explain why it is that the amendments to the Municipal Act and this further amendment were not introduced at least three or four weeks ago, given the fact that they are relatively routine and did not need to be held up until Dec. 5?

Hon. Mr. White: Well sir, we have had a tremendous load of legislation this year. We have attempted to give priority to a number of matters like the regional government bills and so on, which have an early implementation date. We are rather short of staff in our legal branch and the director of our legal branch was transferred some weeks ago to the new Ontario Energy Board.

Mr. Singer: The ones who advised you about the cheques in the vaults?

Hon. Mr. White: So, by working morning, noon and night the lawyers in my ministry have succeeded in handling all the work, but it wasn't possible to have these bills for the consideration of the House earlier.

Mr. C. E. McIlveen (Oshawa): They should know that. It is just common sense.

Mr. Cassidy: Mr. Speaker, if I could just follow that up.

Mr. Speaker: The questions were questions of clarification which I permitted which are strictly not in order.

Mr. Cassidy: The Treasurer abuses this House because of a shortage of staff.

Mr. Speaker: Orders of the day.

HOSPITALS ACT

Hon. Mr. Potter moves second reading of Bill 256, An Act to amend the Hospitals Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Clerk of the House: The third order, House in committee of the whole.

MUNICIPAL ELDERLY RESIDENTS' ASSISTANCE ACT

House in committee on Bill 225, An Act to permit Municipalities to grant Assistance to Elderly Residents.

Mr. Chairman: Are there any comments, questions or amendments on any section and if so which section?

Mr. I. Deans (Wentworth): I have a comment, if I can find it, in regard to the bill. I had it sitting here for days and I can't find it now. I recall it as being in section 2, I think. I don't have the bill in front of me.

Mr. Chairman: Is there anything before section 2? The hon. member for Wentworth on section 2.

Mr. Deans: I raised with the minister during the second reading of the bill the need to spell out specifically that residential real property took within its ambit condominiums and co-operatives in order that people who like in the city of Hamilton are not in any way jeopardized, or their benefits are in any way reduced because we have brought about legislation which affects the entire province.

I recall the minister having said when he rose that he interpreted, or his staff interpreted the meaning of residential real property to include condominiums but not co-operatives. The reason he gave, as I recall, was that there is not an individual levy against the individual units within a co-operative.

I would like to say to the minister that at the moment my understanding is the city of Hamilton bill permits it. I think it would be wrong for us to reduce the benefit to people who are currently in receipt of it simply because the government doesn't think that is appropriate across the province.

This bill is not going into force across the Province of Ontario, but rather is permissive legislation. Because it is permissive it would seem to me that we should make provision for any municipality which wishes to provide this kind of benefit to all its senior citizens and to ensure that the co-operative and condominium sections are in.

Mr. Deans moves that section 2 of the bill be amended by adding the words "including condominiums and co-operatives" after the word "property" in the third line.

Mr. Deans: I make it, because as I said I do think it wrong that we should leave it to chance in the matter of condominiums, and I think it wrong that we should reduce the benefit currently available in the matter of co-operatives. Since certain municipalities will obviously not be enacting the legislation, and since the city of Hamilton is going to lose the legislation under which it currently operates, and since there is the likelihood that a number of people in the city of Hamilton may suffer a loss as a result of the legislation, I think this amendment should and could be accepted by the minister.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Well I quite understand the high motivation that leads to this hasty amendment, but I am not able to accept it. The hon. member scratched this out without, I think, having gotten the advice of the law officers of the Crown who have worded this bill, as I understand it, to meet this purpose to the extent that it can be done.

To repeat the explanation I offered to the House a week or so ago, the definition which we have used here does indeed include condominiums. So in those municipalities that wish to take advantage of this general legislation, condominiums will be automatically covered.

In contrast to that is the impossibility of covering co-operatives, which are not assessed by individual unit and in which the tenants are at one and the same time shareholders in the co-operative and tenants of the co-operative.

So to the extent that one can, we have covered the hon. member's point; and to the extent that he would wish to expand that, it become impossible.

Mr. Deans: Well let me try something else. Does the minister agree with me that at the present moment in the city of Hamilton, this is in fact the way the legislation reads and is applied, that it does apply to both condominiums and co-operatives?

Hon. Mr. White: I have no reason to think so. We developed this bill with the assistance of the city of Toronto and the city of Hamilton; and it fully met the objectives of the mayors of these two communities and their advisers.

Mr. Deans: I am not questioning whether it met their objectives at the time. I think it's entirely possible they might not have considered the possibility of this loss; and frankly, because of the pressures of the House, I haven't had an opportunity to discuss it with them. But I wonder then, if I can ask whether the minister would consider a subsection (e), which would make it permissive to extend it if the municipality so wished. In other words, we would leave section 1 of subsection (2) intact, without what I have suggested; and we would then move to a new subsection (e), which would say something like: "Such credit may be extended to owners of co-operatives."

It would fall within the category of being senior citizens. It leaves it entirely up to the municipality to do so if that is its desire. It guarantees there won't be any loss in terms of people who are currently in receipt, and it doesn't bind anyone's hands. Would the minister consider that amendment?

Hon. Mr. White: Well I simply can't do so in the face of the legal advice I get. Con-

dominiums are included, and I am told that co-operatives cannot be included. However, I'll give this undertaking to the House: If a way can be found by members of the Legislature, with good legal advice, to include co-operatives next year, I will be glad to do so; because I certainly wouldn't deliberately exclude them.

Mr. E. R. Good (Waterloo North): Mr. Chairman—

Mr. Chairman: The member for Waterloo North. On this amendment?

Mr. Good: On section 2. No, I am sorry.

Mr. Chairman: Well, does the—

Mrs. M. Campbell (St. George): I haven't even got the amendment.

Mr. Good: Was the amendment withdrawn?

Mr. M. Cassidy (Ottawa Centre): Are you going to read the amendment?

Mr. Chairman: I will read the amendment. The amendment reads that in section 2 the words "including condominiums and co-operatives" be placed in the third line after the word "property;" so it would read: "To allow owners of residential real property, including condominiums and co-operatives."

Mr. Cassidy: Mr. Chairman, on this particular point—

Mr. Chairman: The member for Ottawa Centre.

Mr. Cassidy: —I believe that the minister may be right, and it is on the record, that as far as the government is concerned, the words "owners of residential real property" extends to condominiums as well as semi-detached and detached homes. That may be all right. But on the question of co-operatives of course, it really baffles me when the minister says that he can't find a way to do it. The member for Wentworth has suggested several means by which this could be done, and I simply cannot see what is the particular problem.

The minister has expressed a desire to include owners of co-operative units, where the owner is residing in the co-operative development. And if that is his desire, if that is what he intends to do, then it is perfectly simple to draft an amendment that would permit them to come in.

It seems to me that what the minister is hung up on is the question about opening the door, if you will, to having tenants of any description, even if they are tenants in a co-operative of which they are resident, being included in the Act. But regardless of his general views about including tenants in his Act—which we will come to in a few minutes—it seems to me that the status of co-operative tenant owners and condominium owners, is so similar and so analogous that the minister ought now to permit the amendment; and, in fact, accept the amendment suggested by the member for Wentworth, or something very similar.

Now perhaps since I am having difficulty understanding the obstacles that are seen by the minister, perhaps the minister can explain what is the drafting obstacle which is deterring him; since apparently there is no obstacle in terms of principle, from what he has just said in this House.

Hon. Mr. White: Five municipalities in Ontario, by private statute, acquired the power to give certain tax benefits to elderly citizens. Some additional municipalities may have wished to do so. We thought the power should be generally available to all of the 900 municipalities. We conferred with the municipalities which have had experience with this private legislation. They advised me to retain the category of property owners, and asked that we not expand it to include tenants.

This bill does cover condominium owners, and I have said that I am prepared to consider some time in the future, after discussion no doubt with the affected municipalities, and more particularly the municipal liaison committee—whose advice I am very dependent on in matters of this kind—the prospect of considering co-operative tenant owners as owners.

But I am not going to accept some amateurish wording now that might imperil the intent of this Act, which is the fruit of months of labour with municipal representatives.

Mr. Deans: Well Mr. Chairman, I want to say something about the minister's comments. I resent the way in which he puts his comments. I resent them for this reason: We, in the Legislature, are intended to draw up the legislation. The only way that we can amend that legislation is here in the Legislature. We don't have the minions sitting under the gallery to do the work for us.

Hon. Mr. White: You haven't had any advice on it at all.

Mr. Deans: And what bothers me is that while I raised the matter with the minister three or four days ago, he has done absolutely nothing by way of checking it out since I raised the problem. He sits around in his office all day with people running to him hand and foot, looking after his interests and welfare; while everybody else is working in here, day after day, into the wee hours of the night.

Mr. Chairman: Order, please.

Mr. Deans: And then we have got to put up with this garbage from him. I'm sick and tired of it.

Mr. Chairman: Anything further on Mr. Dean's motion?

Mr. Cassidy: No, I want to say a word about this, Mr. Chairman. I want to say a word about this, because the minister has come to the point—maybe I can ask him a question, before making one or two remarks.

Does the minister personally, or on behalf of the government, feel that it is desirable to include tenants in this particular bill as an option available to municipalities?

And I'm saying, regardless of the advice that he has had from the municipalities, does he himself, or on behalf of the government, feel that that would be desirable?

He has indicated already that he feels it would be desirable for co-operative owner tenants to be included. Now perhaps he can answer those two questions.

Hon. Mr. White: Well from a philosophical point of view I certainly would like to see it happen, but the municipalities have asked us not to do so. And before I turn my back on that advice, I would want to know a lot more than I do about the consequences for municipal finances.

Mr. Cassidy: You know this is a minister who, from time to time, prates and bleats about the desirability of increasing municipal autonomy, and so on. What is being suggested by the member for Wentworth, in the alternative that he offered, was that the option be available to municipalities to extend this to co-operative owner tenants. It probably doesn't affect more than maybe a couple of hundred at the most; maybe even only a couple of dozen people—

Hon. Mr. White: There must be 200 in Rochdale alone.

Mr. Cassidy: Senior citizens in Rochdale in Hamilton?

Mr. Deans: Senior citizens in Rochdale? Why don't you do a little bit of research.

Mr. Cassidy: That's absurd.

Mrs. Campbell: I was with you until then.

Mr. Cassidy: Anyway, Mr. Chairman, it doesn't affect that many. But these are people getting a benefit in Hamilton now, who will be deprived of it under this particular piece of legislation. I don't see why the government has got to simply stop and say to the municipalities: "Well, let's go only so far," after talking with representatives of about 15 of the municipalities across the province in the liaison committee.

To extend it, as I'm going to suggest to tenants also, does not find a single municipality across the province, though quite possibly there are a few that would like to do this. They feel that it will be equitable, and they feel on examination of their own financial situation that it is a burden they can reasonably ask their tenants, their owners and ratepayers below the age of 65, to pay. That's up to them, in a situation where you believe that municipalities should exercise some responsibility and some local decision-making.

But the minister won't give them that power of local decision-making in this particular instance. He says: "No; Papa White knows best." Therefore, he will not allow them that option. I find that unacceptable and really inconsistent with the kinds of comments that are made at other times by the minister.

Hon. Mr. White: Oh no, sir; I have no strong objection to it. I am saying that the municipalities objected to it, but I will ask them to reconsider.

Mr. Chairman: Those in favour of Mr. Deans motion?

Mrs. Campbell: Mr. Chairman, I wonder if I could possibly find a procedure where I can get some clarification of this position? I would like to find out how the members proposing this amendment would carry through the mechanics; and putting themselves in the place of a municipality, how would they ascertain in a co-operative who would get the advantage, having in mind that its a comparatively narrow group within a co-operative. I don't understand how a municipality would be able to find a formula. If the member has one, I'd like to hear it before I have to vote, Mr. Chairman.

Mr. Deans: This is not going to be accepted anyway.

Hon. Mr. White: Or: "I can't answer the question."

Mrs. Campbell: This is an important issue.

Mr. Cassidy: It's perfectly simple. They have to be owners in the co-op. They have to have shares. They have to be over 65, and because of this particular bill they must also be in receipt of the guaranteed income supplement. It's a pretty well defined set of qualifications. The minister's attempt to suggest that every young person with long hair in Rochdale is going to benefit in the course is, of course, absurd.

Hon. Mr. White: No, just the old folks over there.

Mr. Chairman: Those in favour of Mr. Deans' motion will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

I declare the motion lost.

Did the member for Waterloo North have something on section 2?

Mr. Good: On section 2, subclause (2). This permits the municipality to—

Mr. Cassidy: On a point of order, Mr. Chairman. I still have a comment on subclause (1). If I'll be able to go back to it after the member for Waterloo North, I'll be quite happy.

Mr. Good: All right.

Mr. Chairman: Now that you've started, go ahead.

Mr. Good: Subclause 2 is the clause which gives the municipality the power to make the receipt of the guaranteed income supplement one of the criteria on which this is based. I have little fear that we're using receipt of the guaranteed income supplement a little too loosely in much of our legislation. There is the idea that because someone else has made a means test and you get the supplement you're in a certain position and this is the be-all and end-all, an accurate barometer and an accurate account of who should get it and who shouldn't.

I think when we first had experience with sending out the old age assistance allowance here, I know in my riding and in many ridings the members were very busy trying to sort out why some people got the cheque and other people didn't get the cheque. Some who should have had it didn't get it and vice versa. There were discrepancies in the list which the provincial government evidently had. There were people who got cheques who shouldn't have got them and some got two cheques. It's not just an accurate evaluation of who is needy and who is not.

Then look at the other situation, which I think is the real basis of the point I want to make, the time lag involved. From the time of decrease in the person's income, until he qualifies for the guaranteed income supplement, there can be a considerable period of hardship develop here. I have run into cases like this. A person loses all of his guaranteed income supplement if he has income, say of about $1,700 a year. He no longer gets any income supplement. So in the year 1972 a person could have had a little bit of income and be eligible for some supplement, or he could have had $1,700 worth of income and not be eligible for supplement.

There are many instances where income is depleted very quickly due to circumstances which are very prevalent among elderly people, such as sickness and repairs to a house. Repairs to a house happen to be a very great cause of concern for elderly persons, because they are very costly.

If a person had $1,700 worth of income in the year 1972, he would not have qualified for one dollar of income supplement in 1973, but he could find himself in the middle of the year with no guaranteed income supplement, his savings depleted to the extent that he had no income.

The result is that these persons can't get guaranteed income supplement until after they apply in January, 1974, and it doesn't start until they receive their old age pension cheque of April, 1974, so there could be a year's time lag.

I am wondering if this section would be better worded if the municipality could say: "We just want to help the most needy," and the GIS was used as the yardstick to make the measurement. It would allow a municipality to give such credits and to state in a bylaw, "unless such owner or spouse of such owner or both, is or are receiving a monthly guaranteed income supplement."

Then I would like to say, "or whose present income is such that they will be eligible in the succeeding year to receive the guaranteed income supplement." Because if I am

an elderly person and I need help right now to pay my taxes, and I have to say: "No, I don't get the GIS, but I will be eligible to get it next April," this isn't going to help me pay my taxes now.

I wonder if the minister could give some consideration to this point, because I think the same thing is going to happen on your $50 pension cheque. There are people who don't get it now who will be getting it next April, and they are in dire straits because they are not getting it, simply because they had a little bit of income last year.

This is particularly true of those who are living in a retirement home. I have one case in my own riding where it is costing a person $4,500 a year to live in a home; that takes income away very quickly. While he did have some income from capital, now that the capital is all depleted, this individual has no income, is not getting the GIS and is in pretty dire straits.

Hon. Mr. White: Mr. Chairman, I will consider that, in co-operation with the municipalities. I think the point is very well taken, and I will make sure this is on the agenda of the provincial-municipal liaison committee meeting.

Mr. Chairman: Shall this section stand as part of the bill?

Mr. Deans: Mr. Chairman, on a point of order, do we have a quorum?

Clerk of the House: There are 20 members present, Mr. Chairman.

Mr. Chairman: Shall subsection (2) then stand as part of the bill?

Mr. Cassidy: Mr. Chairman, I asked to stay on subsection (1).

Mr. Chairman: Yes, all right, but we will clear up subsection (2). It is carried? All right. The member for Ottawa Centre on subsection (1).

Mr. Cassidy: Yes, Mr. Chairman, I had an amendment to subsection (1) of the bill that I also wanted to introduce.

Mr. Cassidy moves that section 2 of Bill 225 be amended by deleting the word "owners" in the third line and substituting the words "owners, tenants, or owners and tenants," and by changing the word "owner" to "person" in subsections (a), (b), (c) and (d).

Mr. Cassidy: I want the minister to know that the amendment was professionally typed, although we didn't have access to his rather overworked minions to have it drafted.

The purpose of the amendment, Mr. Chairman, very simply is to ensure that municipalities do have the option of granting assistance to elderly people, whether they happen to be tenants or whether they happen to be owners. However, bearing in mind the kind of discrimination in which they currently indulge—let's face it, that is what has happened right now—bearing in mind the kind of discrimination in which they currently indulge, it permits the municipality to allow these credits either to owners, to tenants, or to owners and tenants; and that is at the discretion of the particular municipality.

Frankly, I don't particularly agree with that, but this is a matter which, according to the Treasurer, the poor Province of Ontario can't afford to handle, and therefore it is devolving onto the municipalities because they are so flush with money these days. It is passing the buck down to the municipal level. What I'm suggesting is that they at least should have the option of dealing equitably with all classes of senior citizens in their municipality, and not just those who happen to be owners.

You know, Mr. Chairman, the number of homeowners who also receive the GIS is clearly fairly limited, because they have to have an income below $2,400 if they are single; and if it's a couple, they have to have an income of something about the $4,000 mark in order to qualify for the guaranteed income supplement. Therefore the number who are involved in the receipt of the supplement is relatively limited.

There are far more senior citizens who are living in rented accommodation and who, in my experience, have financial difficulties every bit as severe, if not more severe, than people who are elderly and are seeking to hang onto their particular home.

I don't dispute the need for relief and help for senior citizens who are trying to hold onto the home that they may have had for a lengthy period of time, but the fact is that a home on which the mortgage is paid —as it usually is in these cases—can be maintained and taxed and heated for a sum usually of less than $100 a month.

A couple on the old age pension and who are tenants, cannot find accommodation, in the Ottawa area for example for less than $100 a month—unless they have the good fortune to get into the public housing for senior citizens programme run by the On-

tario Housing Corp. And you find that's true in virtually every major city in the province.

Those senior citizens who do have rents of less than $100 a month, do so because of one of two or three reasons. One is that they are living with relatives who give them a preferential rent because they know the old people can't afford to pay anything approaching a market rent. The second reason is that they happen to be lucky enough to have a very generous landlord whom they have lived with for a period of maybe 15 or 20 years, and the landlord is simply unwilling to charge the old people a rent that the landlord knows they can't afford. That kind of landlord is becoming a mythical figure, because he's so rare in our major cities.

The third reason is that they are paying a rent of below $100 a month because they are living in accommodation which is grossly substandard, inadequate and demeaning to the dignity that I think we all agree that senior citizens should have in their old age.

Now once you get up to rents of more than $100 a month, particularly for a single person who is aged, it is very clear they are in desperate need of relief, in desperate need of assistance, and it is not being offered to them by this particular bill.

It seems to us that tenants and owners should be dealt with equitably, given the fact that if they are senior citizens and receiving t guaranteed income supplement, their financial circumstances will be very similar and their problems of hanging on or of maintaining decent accommodation will be equal. In fact, in very many cases I think the minister will find that the problems of tenants on the GIS will be even more severe than the problems of owners on the GIS, where the owners have already paid off the mortgage.

It's quite easy to say that in certain instances you will have owners who have not yet paid off their mortgage; for them, they are in very desperate straits if they only have a pension income. Equally true, there will be tenants who have got to pay $175 or $185 a month because they can't find decent accommodation for less money than that.

On the other side, there will be tenant owners receiving the GIS who manage to maintain their property for only $50 a month —and who really don't need the kind of relief that is being offered in this particular bill. Likewise, there will be a few tenants, a very few tenants, who happen to have a favourable rent because of the circumstances that I mentioned.

The case, in other words, for tenants and for owners is equally compelling. If anything, I would suggest it's more compelling for tenants—and I would hope very much that the minister would accept this particular amendment.

May I point out, since the minister is liable to refer to the advice given to him by the municipal liaison committee, that the powers being given to all 900 municipalities across the province in this Act, as amended under the proposal I'm making here, will be identical to those that were requested in his consultations with the municipal liaison committee.

In other words, they will get exactly what they asked for: The power to grant tax relief to senior citizens who are owners and who are receiving the guaranteed income supplement.

All I'm saying is that in addition to that power which was requested, that this Legislature, acting in its wisdom, should also provide to those municipalities that might happen to want it, or for that matter to those municipalities with new governments a year or two hence which might happen to desire it, the option of extending equity to tenants who are senior citizens and receiving the GIS, by means of this option.

It doesn't stray an iota from what the municipalities requested but it gives them something added as well, if they choose to take it. They can't argue that they are being compelled to take it. If they do decide to extend this relief to tenants, as I think they should, they will do so by council decision or in some other way. It is open to them to refuse to take that decision, but I believe that the option should be there. I hope the minister will accept this amendment.

Mr. Good: On this amendment, Mr. Chairman, I am in sympathy with the idea of giving everyone who is receiving the GIS additional monetary help, but I can see that a lot of problems would happen here. You extend this so that the municipalities could include tenants and you are getting back to the residential tax rebate idea by which the money would go to the owner of the property, according to the other sections of the Act. You would have to have an enforcement agency to see that the tenants got the money back again. We would be right back to the property tax rebate system which created a lot of problems at that time.

I would think it is incumbent upon the provincial and federal governments to provide the necessary income for senior citizens, and now we are starting to get the municipality into the function of providing additional income to meet the rents of everyone. The intention of this Act, as I see it, is to allow people to remain in their owner-occupied homes for as long as possible.

I feel that the best place for elderly people is in their own homes as long as they can remain there and are comfortably and financially able to do so. I think we should do everything we can to keep these people in their own homes. They are more comfortable there. They can retain a degree of independence if they wish and they are in familiar circumstances and enjoy life, probably, to a greater extent.

The municipalities now can help to keep those people in their own homes by relieving part of the tax. Really, I think it should still be a provincial responsibility, because we hesitate to see what might be termed municipal disparity in this particular situation. One municipality does it or can afford to do it; but in other municipalities, which just can't afford to do it, it won't be done.

The credit paid by the province now under the residential tax credit system is allowing an additional $100 to anyone over 65 whether or not they get the GIS if I'm not mistaken. They get the additional $100 which will be of some assistance; and that particular additional $100 will go to tenants as well as owners, if my memory serves me correctly. The mechanics here of getting it back to the tenant from the owner of the property would put us right back into the administrative problem we had with the residential property tax rebate.

In my opinion, we are getting such a conglomeration of credits being handed out by this province—I spoke about this last night and I've made a rough mental estimate—that we are handing out over $400 million a year now. In effect, we are overtaxing the people of the province so that the government can stand up and be the good guys and say: "Look at the money we are giving you back." I think we've got to move to a system in which each person is guaranteed a proper source of income either through his own efforts, or if he can't do it through his own efforts through the government. We should get rid of all this bureaucracy which has to be set up to administer each of these claims individually.

I am in sympathy with your idea but I don't see how it could work through this bill.

Hon. Mr. White: Mr. Chairman, I can't accept the amendment. I think that if we were to do something for tenants and owners it should be done through the general provisions of the pensioners' credit. Obviously pensioner owners and tenants include 99 per cent, or I suppose by certain broader definitions 100 per cent of our people. So I think if additional resources are available for tenants as well as owners, it should be done through a provincial grant system and not at the cost of the municipalities.

There may be some misunderstanding about the GIS requirement. This is simply a way by which a municipality may limit the extent of the credit. If they wish to make the credit available to all citizens over the age of 65, they may do so.

As for the criticism that's levelled that we are overly dependent on the GIS; I quite understand that there is some danger in that as we attempt to keep the application forms and so on to a minimum and simplify them, particularly for older people. We do run some risk of trading off inequity for simplicity.

However, here again the municipalities, for I think very valid reasons, didn't want to get into a completely new system of means test or needs test for these older people.

Mr. Chairman: Those in favour of Mr. Cassidy's motion will please say "aye."

Mr. Cassidy: Mr. Chairman, I want to ask the minister a couple of questions; and I really am concerned about this. The minister is perfectly right. I had misread the bill in assuming that this aid can go only to people on GIS. In fact it can be given simply to senior citizens who are owners as a general group.

Let me just bring up the example of my own riding. We have about 7,000 senior citizens living in the riding. Of that number, approximately 4,500 or 5,000 will be on GIS, because being a downtown riding it will have a higher than average proportion of GIS recipients. The degree of property ownership in parts of the riding is extraordinarily low, as low as three and four per cent in the area where I happen to live; and among the general population, among senior citizens as a whole, the degree of ownership in the riding would be, let's say of the order of 20 or 25 per cent.

That 20 or 25 per cent will tend to correspond with the group not receiving the GIS. They will include some retired civil servants and others who live in the Island Park Dr.

area. If the minister knows Ottawa at all, an area which he will be pleased to know votes very heavily Conservative.

I agree that it's desirable for municipalities and for this government to do what they can to help senior citizens hang onto the homes in which they have raised their kids and lived for many years. I agree with that. That doesn't bother me at all. But it does bother me when I see a provision which says that the city of Ottawa and other cities, as a matter of general government policy, may grant sums not limited here, but let's say up to $200, as much as that—up to something equalling the average education tax levied on homes in the city; let's say up to $200.

They grant sums like that of up to $200 to owners living on Island Park Dr. in my riding, but they may not grant a nickel to tenants living on Preston St. in my riding; or for that matter living in a furnished room two doors away from my own home on Waverly St.

That really does seem to me to be perverse, that this kind of distinction can be made; particularly when through the tax system on rental property these people, the pensioners living on the GIS who are tenants, will be contributing to the payment or the credit being paid to a well-off pensioner or reasonably well off pensioner living in his ancestral home, a family home, in a better-off area of my particular riding.

I use the riding as a particular example, but I really am bothered by this. The minister, on the one hand, doesn't see anything wrong in permitting a municipality to give this money to owners who are over 65 regardless of their economic position. In fact, unless they are willing to give it only to owners who are on the GIS, which is a very limited group, they must, according to the terms of this law, give it to every owner over the age of 65, whether that owner is a millionaire or a pauper; yet the minister refuses to allow the same municipality to do anything for the tenants.

In my particular riding the effect is that the two-thirds of tenants who are the poorest, the ones who are on the GIS and who generally are not owners, are shut out from this plan. The one-third of the tenants who tend to be better off, and many of whom are also owners, are the ones who will benefit.

That may be desirable social philosophy to a few members of the minister's government party; I don't really thing he thinks that's fair or equitable. I wonder if he can comment on the perversity of what he has achieved in this particular piece of legislation, the way it is drafted, and why the amendment I put forward is not acceptable.

Hon. Mr. White: No, I don't mind explaining it once more in the hope of gaining some comprehension from the hon. member. This permits a municipality to give a credit to property owners over the age of 65, and they may use the GIS as a test of qualification. If we were to include owners and tenants, then I suppose we would take in all, or nearly all, of the people over 65.

We will acknowledge that more assistance should be given to this group of senior citizens, but I think it should not be at the expense of the municipalities. If further assistance is to be given, I think it should be done by the provincial taxpayers and not by the municipal ratepayers.

Mr. Cassidy: Mr. Chairman, across the province, let's say—we don't have the figures—but let's say that roughly half of the senior citizens in the province are owners. It is also fair to say that if they are owners their incomes are liable to be higher, on balance, than those of senior citizens who are tenants. I think the minister will agree with that. I don't have figures and he doesn't have figures, but he will still agree that the earnings or incomes of pensioners who own their own homes will tend to be higher than those of senior citizens who are tenants. The people who own are liable to have other assets; that kind of thing.

We also know that—I have forgotten if it is 40 per cent, 50 or 60 per cent of the pensioners in the province who are on the GIS. They include a mix of both owners and of tenants, although the preponderant number would probably be tenants. If he is saying that it is all right for municipalities to give assistance to the one-half of the senior citizens in the province who are owners, should they desire it and then he says it isn't all right for them to give assistance to the one-half of the senior citizens in the province who are on GIS, I just don't understand it. It would seem to me that a progressive social philosophy on the part of his party might even insist that the GIS be the dividing line, and that either owners or tenants in a municipality could get the relief provided they were on the GIS.

If he doesn't want the relief given to all of the million or so senior citizens across the province, he can limit it by use of the GIS or some other diverting line or screen which

ensures that the relief goes to people on lower incomes and not to those who can cope reasonably well for themselves with their current incomes, from pensions, investments and other things.

If the minister really believes what he says, the alternative for him is to not put this bill through at all but to provide additional provincial relief. One of the aggravating things about this whole debate is that the province refused to do that. The minister offers gratuitous reasons why he doesn't think the municipalities should do something of the same nature, and yet he shovels off on them the possibility that they can give aid to half of the pensioners in the province. When it comes down to it many of those people will be those who are less in need, relatively speaking, than the pensioners who are tenants and on the GIS.

Mr. Chairman: Those in favour of Mr. Cassidy's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

I declare the motion lost and the section carried.

Any further comment, question, or amendment on a later section of the bill? If not, shall the bill be reported?

Bill 225 reported.

Hon. Mr. White moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill without amendment and asks for leave to sit again.

Report agreed to.

Clerk of the House: The fifth order, resuming the adjourned debate on the motion for second reading of Bill 191, An Act to amend the Income Tax Act.

INCOME TAX ACT
(concluded)

Mr. Speaker: Are there any further speakears who wish to address themselves to this bill? If not, the hon. minister.

Hon. J. White (Treaurer, Minister of Economics and Intergovernmental Affairs): Which bill are we talking about?

Interjections by hon. members.

Hon. Mr. White: I'm sorry, I thought we were now dealing with the Regional Municipality of York Act. That was my understanding. Are there any hon. members to speak on the Income Tax Act?

Mr. Speaker: No. The hon. minister has the floor.

Hon. Mr. White: I think there are a few points to be made here. First af all there is a rather technical change that members of foreign armed forces stationed here are not entitled to certain tax credits, because in fact they have not paid taxes against which those credits are offered. This was an oversight when the bill was originally drafted a year or so ago, at which time members of the diplomatic corps and others in those special tax categories were in fact excluded. These foreign servicemen were not included in that list, as I say by a technical oversight.

The second point to be made is that the 30½ per cent income tax rate is the lowest in Canada. We are criticized for that here during this debate, although I do observe that there is nobody in the opposition who is saying very loudly on the hustings that we should be increasing our income tax rate. If there are any such speeches being given I would be glad if the hon. members opposite would send the newspaper articles reporting them.

Interjections by hon. members.

Hon. Mr. White: Also, I don't see any motion on that subject before the House.

Third, is the matter of the tax credit. The tax credits are in the earliest and most rudimentary stage of development, and, as I have conceded here on previous occasions, they leave a great deal to be desired. For instance, there are the imperfections, inadequacies and inequities at the margin, relying as we do on certain tests, whether it be GIS in one case or something else in another case, and so we do have notches where improvements hopefully can be made over time.

The other thing that concerns me a little bit is the way in which the credits run up into the upper income brackets. And here again I think we should attempt to use these scarce resources to greater benefit the less prosperous taxpayer. And indeed, we are working on that now with next year in mind.

I have had occasion to say during heated debates on the subject that one would hope the various categorical programmes—about which my hon. friend, the member for Water-

loo North (Mr. Good), has complained again today—might be moved into these more general provisions and linked to the impersonality and presumed equity of the income tax system.

I think, Mr. Speaker, that these various points have been well covered in previous debates during the budget and on other statutes that flow from the budget. I think that this sums up what I wanted to repeat as I move second reading of Bill 191.

Mr. Speaker: The motion is for second reading of Bill 191.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this be ordered for third reading?

Mr. J. A. Renwick (Riverdale): Committee of the whole House.

Mr. Speaker: Committee of the whole House.

Hon. Mr. White: Now, Bill 227.

Mr. Renwick: Mr. Speaker, if the House leader is around, I understood that he was now going to call the redistribution resolution, as a matter of accommodation to us.

Hon. Mr. White: Mr. Speaker, if you will give us a minute then; my instructions were to call order No. 8.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, with the consent of the members of the opposition, I have sent for the Attorney General (Mr. Bales). If they so desire we could proceed with the government notice of motion No. 6; and I will remain here until he arrives.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 256, An Act to amend the Public Hospitals Act.

Clerk of the House: Bill 228, An Act to amend the Corporations Tax Act, 1972.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker.

Mr. Speaker: Oh, I'm sorry, one moment please.

Mr. Lawlor: Just a word please. I hope that the numerous acervations and nostrums from this side of the House as to that particular kind of legislation have been taken under advisement by the minister and by his assistant; and that in the future information along the lines that we have requested will be supplied to us so that that type of debate can be truncated.

Hon. Mr. White: Is that the policy for last night?

THIRD READINGS
(concluded)

Bill 228, An Act to amend the Corporations Tax Act, 1972.

NOTICE OF MOTION No. 6

Clerk of the House: Notice of motion No. 6, by Hon. Mr. Bales on behalf of Hon. Mr. Davis.

RESOLVED: That, for the purpose of redistribution of Ontario electoral districts, a commission of three shall be appointed by the Lieutenant Governor in Council; one commissioner to be designated as chairman.

That, a member of the commission may be paid such per diem allowance as may be fixed by the Lieutenant Governor in Council, and is entitled to reasonable travelling and living expenses incurred by him while absent from his ordinary place of residence in the course of his duties as a member of the commission; the costs of the commission to be paid out of the consolidated revenue fund.

That, the commission shall employ such staff as it considers necessary and, subject to the approval of the Management Board of Cabinet, may fix the salaries and expenses of such persons.

That, the commission shall determine the population of Ontario as nearly as may be ascertained, based on the census of population taken by Statistics Canada in the year 1971, and shall determine the number of electoral districts into which Ontario is to be divided, which number shall not be less than the present 117 and not more than 125, provided that the total number of electoral districts in that part of Ontario lying north and west of the southern boundaries of the present electoral districts of Algoma-Manitoulin, Sudbury East and Nipissing shall not be less than 15, but nothing in this paragraph shall preclude the commission from establishing boundaries of electoral districts and extend across or be-

yond southern boundaries of the present electoral districts mentioned.

That, for the purpose of the distribution the commission shall take into account (a) community or diversity of interests; (b) means of communication; (c) topographical features; (d) population trends; (e) the varying conditions and requirements regarding representation as between urban and rural electoral districts; (f) existing boundaries of municipalities or wards thereof; (g) the existing and traditional boundaries of electoral districts and (h) special geographic considerations, including in particular the sparsity, density or relative rate of growth of population in the various regions of the province, the accessibility of such regions or the size or shape thereof; and subject thereto the population quota for each electoral district shall be based on the average population, but in determining such quota the commission shall not depart from the average population to a greater extent than 25% more or less, except where in the opinion of the commission any of the above circumstances exist to such an extent that require a greater departure, in which case the commission may depart from the average population to such greater extent as it considers necessary or desirable.

That, the commission, before reporting, shall prepare a map with a description of the boundaries of each proposed electoral district or group of electoral districts, and shall invite public attention to the map by publishing a notice in the Ontario Gazette, and may publish the map or parts thereof in newspapers having general circulation in the proposed electoral districts; the notice in the Ontario Gazette shall provide for the lodging of objections and suggestions in writing with the commission before such date as the notice shall provide.

That, the commission shall forward to the Speaker its report upon the redistribution of Ontario into electoral districts and the number of persons residing in each proposed district as nearly as can be ascertained, and the Speaker shall cause the report to be laid before the assembly if it is in session, or if not, the next ensuing session.

That, if within a period of 15 days after the report is laid before the assembly, an objection in writing signed by not less than 10 members of the assembly, in the form of a motion for consideration by the assembly, is filed with the Clerk of the House, specifying the provisions of the report objected to and the reasons for the objection, the assembly shall, within the next 15 sittings days, or such additional number of days as the assembly may order, take up the motion and consider the matter of the objection; and, thereafter the report shall be referred back to the commission by the Speaker, together with a copy of the objection and of the debates of the assembly with respect thereto for consideration by the commission, having regard to the objection; within 30 days after the day the report of the commission is referred back to it, the commission shall consider the matter of the objection and shall dispose of such objection and forthwith upon the disposition thereof a certified copy of the report of the commission, with or without amendment, shall be returned by the commission to the Speaker.

That, where no objection has been filed with the Clerk in the manner provided, or the report has been returned to the Speaker, either with or without amendment, the commission shall prepare a draft Representation Act in the form of a bill, repealing The Representation Act and embodying its report, and the draft bill shall be presented to the Speaker forthwith and the Speaker shall transmit it to the appropriate minister.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, it is interesting to note that this resolution comes before the House once again as we prepare to redistribute ridings based upon the last census. Since 1971, and indeed since the days of 1967 when additional ridings were added during that election, we have seen, of course, great population shifts within the province. It is interesting, particularly for me, to note the various points which are raised in this, because I presume that my riding may well be the largest one left over after Metropolitan Toronto ridings become somewhat larger than they are.

I think that it is important to note that redistribution within the province really has to be handled in two steps. It seems to me that the numbers of ridings within Metropolitan Toronto first have to be sorted out among themselves; whereas the other ridings of the province may no doubt have much more leeway when it comes to popu-

lation and distance, simply because of the particular problems in northern Ontario and the particular problems in most rural ridings.

I am interested to note the commitment that is made in the resolution with respect to the continuation of at least 15 ridings in the northern part of the province. It certainly seems in the last year or so that there have been many comments in the press about individuals in northern Ontario who feel particularly removed from the decision-making process within this province. And one of the things which would no doubt sharpen that discontent would be to have the numbers of members that represent that part of the province significantly reduced.

Just as we must, in order to have a reasonable balance within the province, balance not only the rural and the urban ridings, we also must most particularly balance the requirement of having sufficient northern Ontario representatives, so that the vast distances that need be covered can be done so without a burden even greater than it now is; and so that the people that they represent respond to the interest that we have to ensure that they choose to remain within the Province of Ontario.

There are really not too many things to say to this resolution beyond those that have been occasioned in earlier debates on this same point. It is interesting to note that many of the points raised in debate in earlier years have now been inuluded in the various criteria which are set out in the fourth paragraph of the resolution.

We obviously have to take into account the community or diversity of interest, the means of communication, and all these other points that are cited. I think, of course, that we would be too soon critical if we were to suggest that the committee in its report would not be guided quite clearly by these various balancing factors.

I am sure that each member in the House knows of differences that might particularly require his or her riding to maintain its boundaries against all assaults from any redistribution commission. And I am quite sure that as the commission meets, and obviously our Clerk will be a member of that commission, that there will be very difficult days, as population is not only divided among the ridings that now exist or the few extra that may be provided, but also, possibly, as traditions of a rural county or a certain area within the city of Toronto, or whatever it may be, no longer can exactly fit into the boundaries that have gone on in the past.

I think it's important that we all realize that we are giving a responsible group of citizens a very important task; because surely, Mr. Speaker, as each of us stands in our places and represents the riding by whose name we are called in this House, we have particular traditions and backgrounds and involvements that are peculiar to each one of us. Whether we represent an urban riding, or one that is mixed, or one from the north, or a county in eastern Ontario, we all are indeed almost the summation of what that riding contains, as we attempt to represent not only the people who may have particularly voted for us, but of course in every case large numbers of people who didn't choose to vote for us.

So each member, I am sure, approaches this coming test with some trepidation. It's almost like a school examination, as we are required to see if the answers we can give to the various criteria are satisfactory to the people who are marking the exam. If they are satisfactory, presumably our ridings by name or area will continue and carry on in this Legislature. However, if there are to be changes made, I believe that we certainly on this side of the House have every confidence that they will be made in the best interests of the people of the province, because it is indeed the people that we are representing.

Mr. Speaker: The member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, the resolution before us is one with which we in this group pretty well agree, although we think there are one or two points where perhaps the latitude is a little too wide.

In March, 1972, I made a statement in this House about this matter. As far as I can see, the resolution is pretty well within the bounds which at that time I felt were reasonable, and as a matter of fact the bounds which were set pretty largely by the select committee on election law some time ago.

In looking over the situation, the first comment I want to make is that the stipulation that the northern ridings should pretty well remain, number-wise and population-wise, as they are—that is, total population as they are—is one which we agree with entirely, because some of those northern ridings are empires in themselves. Even though they may not have as many voters as some others, certainly the distances and the difficulty of transportation and communication make up for that lack of voting power.

In checking over the figures which I put on record back on March 13, 1972, I find that this would happen today on the basis of the resolution. If northern Ontario stays with 15 ridings, and they would have a population of about 435,000 in total, that would give us 15 ridings with an average of 28,000 voters, which as I said we think is fairly reasonable. That would leave 102 ridings in the rest of Ontario, and that would give us a 39,000 voter average in those ridings. With a 25 per cent tolerance which is suggested, it would mean that those riding would run from 30,000 to 50,000. I'm using very rough figures here, but somewhere within that ball park these figures would be fairly accurate.

Hon. D. A. Bales (Attorney General): Mr. Speaker, may I ask a question? When the member is using those figures, is he referring to population or voting population?

Mr. Young: No, I am referring to voting population; the number of voters as they appear on the voters' list in the returns.

If we use the 1975 figures, that is figures which are likely to occur in 1975, we would have a total voting population of pretty close to 5 million, if we can project the growth for the period prior to 1971 as the same for 1971 to 1975. It looks like 4,920,000 or so voters. As I say, this is a ball park figure.

This would mean that the 15 ridings in the north would have a 32,000 average. In the south, figuring the 117 seats we have now, we would have 102 seats with an average of 43,000. If we allow the 25 per cent latitude, it would mean from 32,000 to 54,000 in actual voting strength. I may have used the word population there inaccurately a few minutes ago.

If we raise this to 125 ridings, as the resolution suggests we might do, we would have in the north an average of—if I can get my figures straightened away here—about; give me a moment, Mr. Speaker, while I try to decipher my own hieroglyphics. In the north, we would have 470,000 people—this is the 1975 projection—with a 32,000 average; and in the south 110,000 rather than 102,000, which would give us about a 40,000 average; which means that with the 25 per cent our ridings would run from 30,000 to 50,000.

I'd like to point out that the 25 per cent may be a practical percentage for Ontario, although some jurisdictions are much less than that. In New Zealand, when our subcommittee of the committee visited that country we found that they operated on a five per cent tolerance; and other countries operate on 10 and 15 per cent; but perhaps the 25 per cent is one which we can accept.

I do want to point this out to the minister, that in the last redistribution too often the variation was too great. In some of he slow-growth ridings the tendency was to set the voting strength at the lower limit of the tolerance and the high-growth urban areas were often set at the high level, so that within a couple of years that difference had become very remarkable.

For example, by 1975 the minister's own riding, York Mills, might well have 115,000 voters, whereas in Glengarry the voters could well be around the 18,000 mark.

In the Premier's (Mr. Davis) riding we would look for about 91,000 by 1975, and in the riding of the Solicitor General (Mr. Yaremko), as I pointed out to him on one other occasion, he would likely have about 20,000 voters in that small pocket borough.

This, of course, would not be good for the Solicitor General, because he wouldn't like to feel that he was representing so few people, whereas the Premier would be representing almost four times as many, so while the quality of voter may be high in his particular riding, we wouldn't say that the quality is less than in the Premier's riding.

This is the kind of variation that has resulted and will result. So I would hope that when the commission does its job this will be taken into consideration and that the areas which are inevitably slow-growth areas will have figures set at fairly well up toward top limit, whereas the high-growth areas would see those figures set somewhere near the lower limits. So as the next four or five years progress we would see those figures come into fairly good balance and perhaps we wouldn't have to face this kind of an operation between the 1975 election and the one following that.

If this were done in a reasonable sort of way, as I pointed out in March, 1972, we might have a situation such as this: the large Metropolitan areas could well average about 44,000 per riding, 2,000 above the general average, while rural ridings might drop in some cases to an average of 37,000 to 38,000. That means quite a bit of adjustment to some of these ridings; that is 4,000 below the average and 6,000 below the cities.

I doubt if there should be any more tolerance than that in order to carry out the democratic ideal.

Mr. R. F. Ruston (Essex-Kent): That's all the northern ridings.

Mr. Young: I have already eliminated the northern ridings and dealt with them separately according to the resolution, and I agree with that resolution.

Mr. Ruston: I heard the member's speech before.

Mr. Young: The member should have been here when I uttered these words.

What this would mean, of course, is that Metro Toronto and its surrounding areas, London, Waterloo and these urban areas, would have more ridings added, to an average of 44,000 voters; while an area such as that along Lake Huron, and other similar ones in eastern Ontario and other places, would average 38,000, and of course get many less seats.

Mr. Speaker, this is about all I have to say in this regard. I hope the redistribution is a good one; I hope it is an improvement on the last one; I hope that the figures will be more even than they were the last time, and that these principles which I have outlined will be taken into account. I think that if they are, then we will achieve a much more democratic set-up in the Province of Ontario.

I think we will come much nearer to that goal of one man, one vote—which, of course, I am not saying can ever be achieved in perfection, but certainly the imbalance which we have today, and the imbalance which we had as a result of the last redistribution was a little too glaring, and I would hope that that will be minimized at this time. Thank you, Mr. Speaker.

Mr. Speaker: The member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I am pleased there will be an opportunity for reconsideration of some of the riding boundaries. It seems to me it is important that the commission not just take into account the district that might be involved, but actually the roads system and the access of people within the riding to their member and their member to them.

I think of the problem, for example, in the Fort Frances riding of one of the townsites being on the highway to Kenora—

Mr. J. E. Stokes (Thunder Bay). Highway 11.

Mr. Deacon: —and one being on Highway 17, where if they were concentrated on Highways 73 and 11 then it would be easier for the member, and for the people to get to the member.

The same is true in Kenora. I think of the problem of the member for Thunder Bay having to go through a built-up area in order to get from one end to the other. The difficulty of access there is incredible and definitely needs to be taken into consideration at that point.

Around Sudbury, we have the problem of Sudbury East riding actually taking in parts to the west of Sudbury, and it doesn't seem logical there. We have the problem in Parry Sound riding coming up right against Nipissing, where people in the north end of Parry Sound riding really don't have much relationship to the people in Parry Sound itself.

I would hope that these matters would be carefully considered by the commission. Although we'll maintain the number of ridings now existent in the north, I think actually there should be 17 ridings and that we should include the northern boundaries down to Muskoka because Parry Sound and Muskoka is another area where the population has less access than in the rest of the province. I think these adjustments to take care of access would make a great deal of difference to both the members and the voters within those ridings.

Mr. Speaker: The member for Victoria-Haliburton.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, this resolution and the matter of the 25 per cent, more or less, has some concern for people in a riding like mine, because I think there are other factors that have to be taken into consideration as the member just before me has mentioned.

First of all, while it is true that a city riding may be larger in population they also have, as a rule, more government offices for the public to contact; they also have more opportunity, being smaller in territory, for the members to be at places for the public to see them. In rural ridings, the member has miles to travel to meet with people, and the personal service aspect of a member being able to talk to the person and observe the individual problem personally is very difficult.

My riding has about 25,000 cottages. These are individual landowners who are there a good part of the year, so there are 50,000 voters there if an election was actually called in the summer months that would allow them to qualify on the residence requirement. Actually the voters in a cottage or residential community such as I have could well be very numerous if an election

was at a particular time of the year. I wonder if there shouldn't be some consideration by the commission in this observation.

The other thing I want to say is that in the federal redistribution, that exercise that was going on not too long ago, one of the things that came to my attention in the discussion in our local area was the fact that communication systems or news media—newspapers, radio stations and TV stations coverage of a particular area was very important. If an extension is added to a rural riding that requires you to go into a different media area for coverage, it requires an additional cost not only for elections; but it also requires additional energy and effort on behalf of a member to inform that section of a riding about current events and things going on or what their member is doing from the other side of the coin.

Highways that service an area are very important, especially if you must travel miles through another territory in order to get to a section of your riding, without really being concerned with the residents there to the extent that you might drop in to see them, while not doing anything in their particular interest, even though you must travel miles through their territory.

Our federal redistribution did that with the federal riding of Victoria-Haliburton. We had a section of Hastings county that the highway went through. It was deleted from the riding and then another section given away farther north and east. It meant the member would travel through much territory in order to get to an isolated section without really having the responsibility for the territory he was travelling through.

There are a whole host of things I think are completely different in the work load. I had really thought the commission on the role of the member in the Legislature maybe should have looked at this a little closer. I think responsibilities of a city member versus a rural member are very distinctively different. In the rural riding the people more often contact us as a communications board to tell them what to do, who to see, where to go and how to get around about things.

I suggest to you that in my riding in particular, and it would be the same for many ridings on the Trent canal and the other canal system of recreation in the Province of Ontario, that in much of this area the member would be concerned perhaps 25 per cent of his time with a non-voter in the sense that the person wouldn't be able to cast his vote in that riding. But he is a landowner, he is part of the community and he has the concerns of the community.

I point to another very often overlooked feature. Local government boundaries have a great deal to do with a member's responsibilities and jurisdiction.

We have cottage councils that are now elected in some parts of Ontario; people who are living in sections other than the riding of which they are councillors for most of the year. In other words, those 50,000 people that I have as property owners are people from ridings in urban centres in the majority of cases, although their problems are connected with the riding in which I serve.

I do say that when it's restricted to 25 per cent more or less, I don't know how much flexibility that gives. I hope it's sufficient to look at some of these situations and allow for sufficient flexibility, that it isn't that rigid in a particular area. I hope the commission isn't restricted to the point where some of these things that are other than ordinary in a member's responsibility are left to not be seriously considered.

I hope the commission is a very understanding group of people. Representation by people who are interested in change of boundaries or change of names, and all these things that may arise because the riding changes and perhaps there is a departure of a former name of a riding, can be a very traumatic experience for a lot of people. They think they are losing their identity or they have some loss of something they hold dear.

We have many historic things in this province that are associated with riding names and perhaps if we do have to have a full mouthful of words to give a title to a riding, I think that little bit of inconvenience can often heal a very great disturbance among the public. I do hope the commission will consider some of those points of view.

Mr. Speaker: The member for—

Mr. V. M. Singer (Downsview): Downsview.

Mr. Speaker: No, I think we had the Liberals speak last. We will have the member for Riverdale.

Mr. Singer: I'm easy to get along with.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, I'll only be a moment. I want to speak specifically about my own riding.

Prior to the last redistribution the boundaries of the riding of Riverdale were the Don River on the west, the boundary between the borough of East York and the city

of Toronto on the north, Jones Ave. on the east and the lake on the south. After the redistribution a jagged-tooth portion of my riding immediately to the east of the Don River was removed and put into the riding of St. David, which I have always felt was a wrong decision.

It was made, of course, because the three ridings of Riverdale, Woodbine and Beaches were combined into two ridings, which are now the riding of Riverdale and the riding of Beaches-Woodbine, represented by my friend Mr. Wardle. The result of it was that I have this strange boundary which now starts at the lake, comes up Carlaw Ave. to Queen St., west on Queen St. to De Grassi St., up De Grassi St. to Gerrard St., west on Gerrard St. to Broadview, up Broadview Ave. to Sparkhall, east on Sparkhall Ave. to Hampton, up Hampton to Danforth and then on up to the city limits. The result is that this strangely-carved-out piece of my riding was taken and put into the riding of St. David, making St. David—and I believe the member for St. David (Mrs. Scrivener) would agree—a very difficult riding to deal with from the point of view of representation, and destroying the traditional riding of Riverdale as it became known.

The point which was made by the member for Victoria-Haliburton was very pertinent in that sense, in that everyone had identified as being a member for Riverdale riding, more so than the use of the federal name of Broadview, even though the two ridings were at one point almost identical in their dimension. It has distorted the whole of the representation to the area east of the Don, and in a very partisan sense I would say it is a very real distortion because the majority of the people east of the Don, in that jagged portion of the area, vote for the New Democratic Party.

Mr. Breithaupt: That is a distortion.

Mr. Renwick: I would like to see the homogeneity of Riverdale riding restored by leaving th eastern boundary where it now is, namely Rhodes Ave., or Coxwell Ave. for practical purposes, and the western boundary to be extended back into the natural boundary line of the Don River. Incidentally, I would then recover into my riding the Don Jail and the Riverdale Hospital which were eliminated from—

Mr. R. G. Hodgson: Is that where the member's supporters are?

Mr. Renwick: Well I'm hoping to have an amendment to permit the inmates of the Don Jail to vote, and certainly the people in Riverdale Hospital would support the New Democratic Party. It is one of the few hospitals in Ontario where people would support the New Democratic Party, but it would.

It would have the incidental advantage of giving me experience which I haven't had since I ran unsuccessfully in Don Mills, it would give me half a dozen or more high-rise apartments, so I could canvas in some highrise apartments, which is always nice in the inclement weather. Thank you, Mr. Speaker.

Mr. Speaker: The member for Downsview.

Mr. Singer: Mr. Speaker, I was a little fascinated at the self-serving plea made by the member for Riverdale; and I suppose we could carry this debate on for the next three or four days if each one of us said where our boundaries might go to our own liking. I've got a few ideas on that too. However, I am not going to dwell on that particular aspect of it.

I thought it was somewhat appropriate that the Attorney General should be leading the debate for the government on this subject because he has, I guess, the highest population of any riding in Ontario in his riding of York Mills. Whether there should be two or three ridings there, I don't know, but I am sure the commission is going to deal with this appropriately and somewhat equalize the problems that exist, particularly in suburban Metro and particularly in the borough of North York.

What does concern me, though Mr. Speaker, is the ratio of urban to rural seats. I was interested in the remarks of the hon. member for Victoria-Haliburton who made a plea that I have heard four or five times since I have been in this House about the arduous tasks that face rural members.

We city members apparently have an easy job of it. Nobody ever calls us. Nobody contacts us and nobody asks us a single thing. If only we had the trials and tribulations which face those rural members, we would really understand what it's all about.

Mr. Speaker, I don't accept that. I don't accept that at all. I say it's a bunch of malarkey. I say each one to his own particular kind of problem but I can assure members that the people in the riding of Downsview communicate with me at great length at great frequency from early in the morning

into the wee hours of the night. They have as many problems as there are in the Province of Ontario, be it problems relating to government-subsidized housing or old age pensions; or a variety of federal problems about unemployment insurance and veterans' pensions; or even a variety of municipal problems like why haven't they got street lights and could I not move the stop sign from point A to point B. All that sort of thing—and it goes on and those people are entitled to get some kind of response from their provincial representative.

Mr. P. D. Lawlor (Lakeshore): Do they ever mention the Spadina Expressway to the member?

Mr. Singer: Yes, indeed. I am just collating some statistics now which I am going to reveal shortly about how many of the people continue to be concerned with the completion of the Spadina Rd. extension. I would say my rough estimate of that, since the hon. member for Lakeshore mentioned it, is that of the respondents to my last questionnaire—and replies have been in for about a week—95 per cent urgently state that the Spadina Expressway should be completed, if not yesterday at least today.

Mrs. M. Campbell (St. George): Even if it destroys downtown Toronto.

Mr. Singer: We'll leave that argument for another day. What I am concerned about, Mr. Speaker, is the ratio of urban members to rural members and I am not unduly swayed by the heartfelt emotions put forward by the hon. member for Victoria-Haliburton.

What does really concern me is that this kind of debate has gone on for a long time and we end up, fascinatingly enough, with a Legislature that is rurally-oriented. It is rurally slanted and rurally weighted. A different kind of argument is made by the members from the north and I am prepared to accept that. Because of the vast distances—and those travel problems are very serious in the north—I am quite prepared to accept the Premier's suggestion that those northern ridings be left substantially as they are, that the number of them be not reduced. But when we come down to southern Ontario, I don't think that argument applies at all.

For instance, I was looking at some statistics the other day and it seems that in the 1971 census, the figures indicated that of the 7,703,106 people in Ontario, 4,810,199 lived in the Metropolitan areas of Toronto, Ottawa, Sudbury, Kitchener, St. Catharines, Hamilton, London and Windsor. Out of 7.7 million, some 4.8 million live in the large urban centres of the Province of Ontario. However, 42 members of this Legislature represent that 4,810,000 and the balance represent somewhat substantially less than half, some three million.

Mr. R. G. Hodgson: That is why we have progress in Ontario.

Mr. Singer: I disagree with that. There has been a democratic theory, Mr. Speaker, evolved in the course of the founding of the democratic process, over the hundreds of years of struggles that took place, that bears the name, representation by population.

One would have thought that that kind of theory would be an important part of the principles that apply to the Legislature of the Province of Ontario, because so often we hear from the cabinet ministers that we are a democratic province, we are a fair province, and certainly everyone's view is to be taken seriously, and listened to, and weighed. So surely, it would make sense, Mr. Speaker, that with perhaps the variation of those ridings in the north—and there is a reason for it—that perhaps the rest of the population could have some reasonable representation by population.

If we are going to keep the same number of seats, and if the percentages are just—well, the percentages to which the commission is going to be bound are those indicated by the figures of the 1971 census. If anything the proportion has shifted in favour of urban dwellers since that time, but those are the ones by which we are going to be bound. If we are going to keep 117 seats, at least 58 of them should be urban seats, not 42. Now, that's the kind of disproportion that exists.

Mr. R. G. Hodgson: The member has been reading the Star.

Mr. Singer: And that brings me, Mr. Speaker, to a very serious argument that we had when the select committee on election laws delivered one of its reports—I have forgotten which one—when the Conservative majority argued for a very substantial variance, 25 per cent up and 25 per cent down, and I see that is in the Premier's resolution. The minority, and we expressed that in the minority report, said 15 per cent was adequate.

Well, notwithstanding our minority report, the majority gave the other opinion, and I see that the Premier has in fact accepted it. So, with 25 per cent variance on the

low side of the line, and 25 per cent on the high, you are going to get a continuation of what we have. You are going to get urban ridings which, on the average, will have populations 50 per cent or more larger than the rural ridings, becaust you are going to get historic ridings, you are going to get—Who would want to disturb the historic riding of Victoria-Haliburton? After all, it is represented today by the hon. member, who does a fine job, whose predecessor was the great Premier of the Province of Ontario, and it is going to take some awfully brave commissioners to disturb the historic riding of Victoria-Haliburton, which has existed in its present form for a long, long time.

I see the Clerk is shaking his head. He is going to bring honesty and integrity to his task; but he is going to be hard put to it to disturb the historic riding of Victoria, no matter what the figures reveal. He will be within the parameters set down in the resolution, but my suspicion is that a number of rural ridings will be on the very minimum low, and a very large number of the urban ridings are going to be on the very maximum end of the other scale.

Now I don't think that's fair, and I don't think it is representation by population. And I think, Mr. Speaker, that the 25 per cent allowance either way is too much. Recognizing, to some extent, some of the points made by the hon. member for Victoria-Haliburton, I think it could be adequately compensated for if the percentage was 15, instead of the 25 per cent at the bottom end, and 15 per cent at the top end.

Hopefully, and I suppose I am making this speech hopefully to try and influence the commissioners, that when they come out with their map, whatever it may say—and my experience has been that when we have had a commission they bring a sense of fairness to their task—it is very difficult to disturb the map once it comes down, because you just don't disturb one riding, you disturb 10 or 15. Because if you could take a chunk off here, you have got to add it on some place else, and maybe that affects the stuff on the north and the ridings on the south. Thus, by and large, what the commissioners are going to present to us is going to be awfully close to what we are going to end up with.

So really, Mr. Speaker, I am not making my plea to you or even to the members of the assembly, I am making my plea to the commissioners, one of whom we can identify; and I don't know if the other two have been identified this afternoon or not. Hopefully, they will read some of this and try to get somewhat closer to representation by population. When 4.8 million of the people of Ontario live in an urban environment, they should have something very close to representation by population. As the system as it exists up to the present time pertains, it is not going to happen.

The best example of that is the present make-up of this House, where 42 members represent 60 per cent—well, 4.8 million out of 7.7 million—and the balance, the other 69 members, represent three million. Now that is unfair, no matter which way you slice it. It doesn't even come close to representation by population. And I would hope that this would be very, very seriously considered. It is most important because certainly a person living in a city is as entitled to have representation by population as a person living in the historic riding of Victoria-Haliburton.

Mr. Speaker: The hon. member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Thank you. Mr. Speaker. I'm concerned about the phrase in the resolution, and I quote, in talking about the number of seats being 125:

> Provided that the total number of electoral districts in that part of Ontario lying north and west of the southern boundaries of the present electoral districts of Algoma-Manitoulin, Sudbury East and Nipising shall not be less than 15.

There seems to be a feeling among the members of the Legislature that that means that the present number of 15 will be maintained and that there is a need to protect that number so that it is not decreased.

I am of the opinion that it should not be regarded as that. It should be regarded as not being the floor, and indeed there should be an increase in the number of seats in northern Ontario. I appreciate the problem of population. I could not, in all honesty, make an argument for a large increase in the number of seats; but I could make an argument for an increase of one in northern Ontario, and I propose to do that.

I think that one of the serious problems with the alienation of northern Ontario—and I think we must accept the fact that there is an alienation in northern Ontario. That is regrettable and it is not—and I don't say it in a partisan way, because that is not necessary for the success of a political party in this province. It is regrettable that

we do have people exploiting that alienation in the attempt to form a separate province, and so forth. I think if there is one single reason for that alienation it is the lack of political clout that is in northern Ontario with its total of 15 seats.

There is just no way that 15 members, regardless of the political party to which they belong, can exercise the influence on the cabinet of this government. It just has never happened, and I'm afraid that it won't happen until, of course, the government changes and we have a New Democratic government at Queen's Park.

I think that the extra seat could very well be in Sudbury. I don't want to get into the specific boundaries of those seats, because my hon. friends from Sudbury East (Mr. Martel) and Sudbury (Mr. Germa) know more about those details than I. But there is no question, I think, that with the size of the electorate in Sudbury East and in Sudbury in particular, a very good argument could be made for taking a part of Sudbury East and making it a part of Sudbury, and then splitting Sudbury down the middle to make two seats there. The population would justify such a move.

As far as the riding of Nickel Belt is concerned, I'm not sure where it ranks in square miles in the province, but I'm sure it is third or fourth in size and representing an area that size does present problems. It is certainly at least 300 miles from the southern part of the riding to the northern part, and it is very difficult to represent that area, particularly in the winter months.

It also should be recognized that the services are not available in those northern communities—services such as government offices and health services. Those people, particularly in the unorganized communities, have no one to turn to. There are no municipal politicians to whom they can go with their problems and they rely almost entirely on their elected provincial member to solve the problems that they encounter. They cannot pick up the phone and phone a local office to straighten out some red tape problem they are having with the government.

There could be an argument made, for example, in Nickel Belt for taking the top half of the riding geographically, and putting it in another provincial riding such as Timiskaming or Algoma. That is a very hard thing for an elected member to say when he is talking about small communities. I don't know whether or not the members from the urban areas would appreciate this, Mr. Speaker, but a member does develop an attachment to small communities. He gets to know those small communities very well and he gets to know a very significant proportion of the population in those communities. For an elected member to say "I think this community should no longer be in my riding and it should go to an adjoining one" is not a very popular thing to have to say.

It is not a case of not wanting the workload. It is a case of in which way can those small communities best be served by an elected member. I really do feel that the commission should take a very careful look at those ridings where there are substantial gaps of distance between populated centres.

Nickel Belt is a good example; from the cluster of population in the south part of the riding there is a gap of 80 miles in which there is no population whatsoever. Then, suddenly, you are into a cluster of populations in small unorganized communities and lumber camps. It really means that a member can spend an inordinate amount of time in the small communities, travelling over lumber roads and the winter-time makes it very difficult.

I am not making a plea that the riding of Nickel Belt be decimated; I am only asking that the commission take a very careful look at those ridings which have population centres in clusters and whether or not some of those clusters might not be better put in another riding. I am sure this applies not only to the riding of Nickel Belt.

I think the argument for an extra seat in northern Ontario is a valid one and I suspect that the only place where one could find the extra seat would be in the Sudbury area. I assure members that the population there justifies such a move and it would be a very unusual thing for this government to look to northern Ontario and do something that is more than a token gesture.

I think providing an extra seat for northern Ontario and saying to them "We understand the problems of representation in the north. We understand the problems of the alienation of northern Ontario because of this monolith in southern Ontario. We recognize the special needs, the lack of services in the north and we appreciate the fact that an additional seat would improve representation for the people," would be a positive move for the commission to take. I would recommend that that be done.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): Mr. Speaker, I will be brief. I have really only one point that I would like to make.

Coming from northern Ontario and a northern Ontario riding, and having heard the discussions in relation particularly to representation by population, I think we must bear in mind, particularly in northern Ontario, the vast geographical distances, and the fact that our main concern as legislators is to serve the people who elected us. I might say to you, sir, that I myself find it impossible at times to provide the representation on the level I would like to because of the size of the area that I have.

My colleague from Thunder Bay (Mr. Stokes) has a riding of some 100,000 square miles. He has to go through my riding to get into part of his riding. I have to go through the riding of the member for Kenora (Mr. Bernier) to get into my riding or drive around by Thunder Bay and go through the riding of one of the members there. Our ridings are not serviceable by us on a direct-line basis. Often I will run into the member for Kenora or the member for Thunder Bay as our paths cross. Some of us, the member for Thunder Bay, for instance, is sometimes 500 miles from where he lives and yet is still within his riding. Myself, I am 300 miles from home, from where I live, and still I am in my riding. It has been difficult.

Fortunately, the government in its wisdom has come to realize the special problems we have in getting around our ridings and has looked after us reasonably well in the recent bills that we debated this week. But I just want, as my friend from Downsview said, to impress upon the commission which will be set up to redraw the boundaries that they have to give, I would say, prime consideration to the idea of service to constituents. They should be aware that in these areas of vast distances it is difficult at the best of times to provide face-to-face representation to the people on a regular basis because of the time that we also sit down here in the Legislature.

It has often been said, Mr. Speaker, that Halifax is closer to Toronto than is the riding of Rainy River. And this, of course, is true. By road I am some 1,200 miles away. When I get home I have to go on the road to get to the various towns and villages in my riding. I would hope that the commissioners, when they are going about their business of looking at the boundaries, would give great weight to the idea of service to constituents and, I must say, not get all tied up in knots over the representation-by-population argument when they are considering the boundaries in northern Ontario.

Mr. M. Cassidy (Ottawa Centre): I want to say a couple of words about this and broadly to reflect on the representation-by-population argument because, as some members of the House know, I feel fairly strongly about this particular one.

It has been useful to have discussed this in relation to the federal redistribution of the last few months because I think to some extent we may have achieved some understanding of each other's positions on this particular subject. In other words, I accept the view that a total arithmetical representation by population, while desirable in many ways, is probably not achievable, or if it were achievable it would create inordinate and unacceptable difficulties for the members who represent northern Ontario in particular, and to a lesser extent for some of the members who represent some of the large rural ridings in southern Ontario.

However, I would like to caution, and put on the record this caution, the members of the redistribution commission against going too far within the bounds that have been given them, or else against extending that freedom, as they have also been allowed to do, to the point where similar disparities that exist now are perpetuated in the new redistribution. I am concerned frankly, Mr. Speaker, about the degree of freedom which is being allowed in this particular bill for this particular resolution.

The fifth paragraph stakes out quite explicitly a number of factors that are meant to guide the redistribution commissioners when they decide on their riding boundaries—such things as community of interest, topography, communication, population trends, the traditional boundaries of electoral districts and special geographic considerations, which I would assume include, among other things, the weather, difficulty of winter access and so on.

It goes on to say that the quota for each electoral district should be based on the average population; and permits a variation of 25 per cent either way. But it then goes on to give another loophole that is so big it would justify continuing the electoral map as it stands in the province today. I'm sure that is not the intention of members of this House; I know it wasn't the intention of the member for Yorkview, and I don't think it was the intention of the government when they drafted this resolution.

The loophole states that the 25 per cent rule may be ignored

> . . . where in the opinion of the commission any of the above circumstances exist to such an extent that require a greater departure, in which case the commission may depart from the average population to such greater extent as it considers necessary or desirable.

The 25 per cent leeway is pretty big. And if we assume, as is likely, that the commission will move to 125 seats from the present 117, then according to the 1971 census, the average population of each riding would be about 62,000. A 25 per cent leeway on either side gives a range of 47,000 to 77,000 residents between the smallest and the largest riding. That's a difference of 30,000, and it means that the population of the smallest riding will be barely over half the population of the largest riding.

If the commission uses this additional loophole to justify the present ridings of Thunder Bay, Rainy River and Algoma, to take examples from the three parties, to have 45,000, 42,000 or 40,000 residents, I don't have any objection to that. But I would take great exception if we found that the commission also applied that kind of flexibility when it came to ridings in southern Ontario. Because the real gerrymandering, the real distortions in the electoral map, Mr. Speaker, are found in southern Ontario, where we have disparities such as the difference between the population of the riding of Glengarry on the one hand, and the riding of York Mills on the other hand. I believe that the minister's riding is, in fact, something like five or six times the population of the riding of Glengarry. Is that correct?

Hon. Mr. Bales: I am not sure of the size of Glengarry's population. I know mine at the moment is about 140,000.

Mr. Cassidy: In population, though, it is something like five times disparity, and that is just—the member for Port Arthur (Mr. Foulds) says it is even more. At any rate, those disparities are simply indefensible, Mr. Speaker.

Now, I have looked specifically at the question of eastern Ontario; and for reasons that would be similar to those of the members from northern Ontario, I would hope that the number of seats in eastern Ontario is not reduced. But within the seats from eastern Ontario, frankly, I believe it is necessary that there be a shift from rural seats to urban seats, because the urban areas in eastern Ontario are under-represented, as are urban areas across the province, and the rural seats of eastern Ontario are over-represented.

It is an unhappy fact for people who have some emotional attachment to the traditional riding boundaries, Mr. Speaker, that in redistribution in eastern Ontario those traditional boundaries are simply going to have to be abandoned. Because to follow them would mean that the disparities that now exist between, say, York Mills and Glengarry ridings would be perpetuated; and that is unacceptable as far as I am concerned.

I would like to suggest, in fact, when the commission does its work, that it should adopt as a guideline a 15 per cent disparity on either side of the average population. That would mean a difference of between 52,000 to 55,000 in our smaller, rural ridings and a range of around 72,000 for the urban ridings. In certain cases, exceptions might be made. But I would hope, Mr. Speaker, that those exceptions would be limited to no more than perhaps six or seven cases across the province; and these would mainly be in the northern ridings, which have got extraordinary problems of communication that simply do not exist anywhere in southern Ontario.

I would like to say one other thing as well; that is, the recent attempt at federal redistribution, which unfortunately got pigeon-holed by representatives of all parties, I regret to say, was based on very similar factors to the redistribution that is being proposed to us right now.

One of the consequences of that, though, was the following: Rural ridings got a preference in rep-by-pop because of their communication difficulties. Suburban ridings also got a preference on rep-by-pop and were kept somewhere close to the average for all ridings because of their growth trends. That left the older inner-city, downtown ridings; and I declare a certain conflict of interest here, because that's the kind of riding I happen to represent. Those were the ridings which, in Toronto, Windsor, Ottawa, Hamilton and other cities across the province, and I presume in other provinces as well, were put as having the highest population of the ridings designated in the federal redistribution proposals.

It's a fact of life, Mr. Speaker, that the amount of work involved in servicing, looking after and representing a downtown riding tends to be considerably greater than the amount of work involved in servicing and looking after a suburban riding. For one thing, as a fact of life, there is a concentra-

tion of problems of tenants, of people on welfare, of people needing help with unemployment insurance, of disability cases, of workmen's compensation and those kinds of things. We don't find these in the suburbs.

The working class still tends to live in the heart of cities, and the middle class tends to live in the suburban areas; yet the federal redistribution had the effect of giving a break to the middle-class voters in the suburban areas over against the working-class voters in the centre of cities. We find this most graphically illustrated, for example, by the range of ridings that run through the heart of the city of Toronto, in the same way as we find it in the city of Ottawa.

All I'm saying is that despite the growth trends, and despite the fact that over 10 years suburban ridings will tend to grow larger than the downtown ridings, this kind of discrimination should not be included in the provincial redistribution. In the same way as an effort is being made to recognize the problems of servicing rural and northern ridings, an effort should be made to recognize the problems of servicing these very compact, but rather dense and crammed downtown urban ridings. I'm not suggesting that their population should be down to 25 per cent below the average, I know that; all I do suggest is that their population should not be made higher than the average for urban ridings. In other words, the populations of the designated older downtown or inner-city ridings should be kept at about the same level as the population of newer suburban middle-class ridings in various parts of the province.

Mr. Speaker: The hon. member for St. George.

Mrs. Campbell: Mr. Speaker, in reading the first paragraph at the top of page 5, which is basically what we've been talking about, I am concerned by the directions which are given to the commission.

I have had same little experience within the city of Toronto in reallocating ward boundaries, and when I look at these various matters, firstly, community or diversity of interests, I'm sure this must apply to the rural-urban mix or to some other kind of area. If it is applied in the city of Toronto, for example, I suppose we could couple the present ward structure with that factor and come out with something that would be very close to the type of ward boundaries that the city has. However, we don't get that kind of representation in this House.

Population trends generally in the city of Toronto, of course, have tended to be stable. But when one looks at the complexities of the problems in an old core city such as Toronto, and when one considers the fact that the thrust in other areas has been to try to increase the representation per person rather than to decrease it, I wanted to add something of a note of sympathy to the commission in trying to accommodate all of these various condition in that particular area.

I don't want to repeat all that has been said before. It has been said well and I am in accord with most of it. I would also add my voice to that of the member for Ottawa Centre in having a concern for the type of representation we are talking about in the old cities which are becoming more and more apartment-dwelling kinds of complexes and where the problems are so many and varied. To give the kind of concerned representation to people, which surely must be what we are trying to do, I would suggest that certainly some of these factors are not going to be useful if we are going to work toward achieving a better representation of people's needs in the old core city.

I would hope that this sort of thing would be taken into consideration as well as the geographic features, the boundary features and the average population.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Port Arthur.

Mr. J. F. Foulds (Port Arthur): Mr. Speaker, I want to speak as relatively briefly as I can on this matter. I spoke very lengthily on the matter of electoral reform as it affected Ontario in the Throne debate on April 6. At least one of the commissioners is aware of my feelings in that regard.

I want to touch briefly on a couple of important points. It seems to me that the question of electoral reform is almost as touchy a one as the question of members' indemnities. It is invested with as much possibility of accusation of self-interest. See how the heads snap back on that one. I think that those of us who are concerned about the electoral process and about the validity of our electoral process must be concerned about the way in which our representation arrives at this House.

There is an easy argument, a facile argument, which the Toronto Globe and Mail particularly has been expounding over the past year and a half to two years, particularly

as it affects federal electoral reform. That is the strict principle of representation by population and that is a democratic ideal for which we must strive.

Nevertheless, as a person with a vested interest, coming from a northern riding, I want to make the point that accessibility is also a democratic ideal that we must strive for. That is, the people feel a kind of uniqueness about their elected representatives whether they like them or not. They recognize that uniqueness because they make a point, in circumstances of special stress, of coming to their elected representative to put their case to him. They feel sloughed off, they feel denied, if a person hired by the elected representative deals with their case, in many instances.

I would like to say that we should try to make the ridings of such a size that they are manageable in terms of numbers, but I want to also underline the point that they must be manageable in terms of physical size as well. The most glaring and obvious example is my good friend and colleague from Thunder Bay's riding. Only because of his particular devotion and his particular superhuman efforts at touching all the bases in his riding do the people in the remote parts of his riding feel that they have access to their member. Even then, I'm sure he would agree, he doesn't do the job as well as he would like to.

The business of accessibility is tied into the whole business of faith, if you like, in the democratic process. It's not good enough to say to the northern members, "We will give you extra staff," or, "The Camp commission will come in with recommendations to give you extra help because of that special uniqueness of the elected representatives." If the needs and concerns of a constituent are always by necessity funnelled through hired staff, the elected representative won't have the true reflection of feeling from his constituents. You do get a kind of editing and that must be avoided at all cost. The interface must take place directly between the elector and the politician.

As many of you know, my riding, in terms of northern Ontario, is quite a compact one. It only goes 30 miles east and 30 miles west and 30 miles north of the city of Thunder Bty. It is relatively compact. Nevertheless, even within that small riding, because my constituency office is in the city and I get out to the rural areas only occasionally, the people in Kakabeka Falls, the people in Kaministikwia, the people in Murillo, don't in fact have the same access to their member.

That is just magnified quite literally 10,000 times for the member for Thunder Bay. And I want to make a plea for that accessibility factor. I think that it is important, however, that we don't carry that argument to the extreme. In areas of southern Ontario, and, as my friend from Ottawa Centre mentioned, particularly eastern Ontario, which for a variety of unfortunate economic factors have diminished in population, I think that we have to strike a balance there.

I would like to make a suggestion to the commission, that where they find themselves in difficulty in terms of judging territory versus people, they don't make the same mistake that the federal electoral boundaries commission, by force of its legislation, made, and carve out what were solely urban ridings in northern Ontario and then solely hinterland ridings. If it is necessary it is, in terms of communication, much better to have a centre of population, if at all possible, within the riding. In my own example, taking the city of Thunder Bay and keeping a portion of the city for each of the ridings of Port Arthur and Fort William, as is the case at the present time. The important thing for the commission to look at in terms of those accessibility factors are the communication factors, the way in which travel takes place, so that you don't find yourself in the position the federal electoral boundaries commission found itself in when it created the new riding of Nipigon which had Hearst in one extreme eastern part of it, and one had to travel literally through three different ridings to get to the western part of the riding. I would ask the commission to take a very close look at the travel patterns of the ridings in northern Ontario when they are establishing them.

I would suggest there are a number of ways that that need can be met; that there can be—in fact, we often do have, largely and almost exclusively in southern Ontario—straight urban ridings. I think there is a category allowable for mixed urban and rural ridings. But also I think—

Interjection by an member.

Mr. Foulds: Would my friend like to make an interjection to be recorded at this time?

I think there should be rural and northern riding categories—

Mr. J. E. Bullbrook (Sarnia): That's out of the resolution.

Mr. Foulds: —and that is the difference between the present set-up that the member for Waterloo North (Mr. Good) fumblingly interjected.

Mr. R. Haggerty (Welland South): He hasn't got it yet.

Mr. Foulds: I don't, as I say, want to speak too lengthily on this. I know that we from the north are often accused of northern paranoia in this respect, but the experience we have in the House and the experience we have in communicating back and forth between our ridings and this place reinforces that feeling, especially when I tell people that I travel 1,000 miles to come to Queen's Park and I'm still in the Province of Ontario.

Mr. Haggerty: He doesn't have to.

Mr. Foulds: The members for Rainy River and Kenora travel even farther. People down here just don't comprehend those distances.

Mr. E. R. Good (Waterloo North): The member can always move to the island.

Mr. Foulds: The only island I would like to move to is in the Mediterranean, and that would be some time after my career in this Legislature.

Mr. Bullbrook: I'll get him a reservation.

Mr. Foulds: I think the argument for the north has to be put in the strongest possible terms, because there has been, and continues to be, a constant feeling in the north of alienation from the source of power in the province. The suggestion made by my colleague from Nickel Belt, that the representation of the north be modestly increased, is one that would meet with approval there and would go a long way to removing that feeling of isolation.

For those reasons, I was pleased that the Premier did say during the statement introducing the resolution, that the representation in northwestern and northeastern Ontario would be no less than it is now. For those reasons, I would certainly like the commission to look at the possibility of going as far as the resolution allows them increasing the representation in the House to 125. Thank you, Mr. Speaker.

Mr. Speaker: Are there any other members who wish to participate? The hon. member for Sudbury.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, I only want to make one point to the minister. When considering the redistribution with respect to northern Ontario, I'm not sure that too many people in the Legislature are really aware of the problems that the members from all parties have with respect to unorganized townships. In fact, the member in such an area really becomes the reeve, the mayor, the council, the health unit, the board of education—you name it. Any member from northern Ontario who has these unorganized townships in fact is it. Some of them are very large; I just lost one with the advent of the regional municipality of Sudbury, and in that one township there was something like 4,000 people without any type of representation whatsoever.

The number of problems which come across a member's desk dealing with unorganized townships are probably equal to the total number of problems he receives from all the organized municipalities combined. But there is no indication here that we are going to get an increase in the representation in the north. It seems paramount to me that to give those people in the unorganized townships proper representation there should be an additional number of seats so that their needs can be met.

It has always been of concern to me that we haven't moved yet to organize these unorganized townships so that they do have some type of representation in a form of municipal government which at least would bring their problems under control. In fact, the problems in the unorganized townships continue to escalate; they don't decrease. As these unorganized townships get larger in numbers of people, the problems escalate and are going to be much more difficult to handle in the future or as we prolong the inevitability of organizing them.

If we were to meet some of those needs now, I am sure every northern member would agree with me that there is going to have to be an increase in the number of seats. I suspect most northern members have tremendous difficulties coping with that relatively small group of people who have no one else to turn to. I would urge that the government give some consideration to increasing the representation because of that problem which is unique, as I say, to the northern members. I would hope that some of the northern members on the other side of the House might get up and indicate that so that the ministry might recognize that unique situation.

Mr. Speaker: The hon. member for Scarborough West.

Mr. S. Lewis (Scarborough West): Mr. Speaker, all of us, of course, are mere preludes to the finale of this debate which will

issue from the member for Thunder Bay. I, of course, would pay homage to him now but I must say that I think it has been overdrawn.

I must say that it sometimes takes me longer to get from the southern corner of my riding in Scarborough West to the northern end of Scarborough West than it takes the member for Thunder Bay to get from Schreiber to Marathon and I have often felt that too many tears are shed. The member for Thunder Bay loves it. He loves every minute of it. One could never give him a small compact urban riding; he wouldn't know what to do with it. As a matter of fact, he has expressed to me privately that he would like to absorb some of the neighbouring ridings in northwestern Ontario in an effort to extend his prowess and his fiefdom. Rainy River was what he had in mind, as a matter of fact.

Mr. Reid: That's what I thought.

Mr. Lewis: What we cannot achieve otherwise, we will do by more devious means. Nonetheless, I suppose, if there's any heart at all a little compassion will be shown for the member for Thunder Bay. At least the Camp commission can rescue him if the redistribution commission will not.

May I say, since we are all being so splendidly generic, that I want to speak for a moment about Scarborough West? I am speaking, Mr. Speaker, to you, sir, but through you to the Clerk—

Interjection by an hon. member.

Mr. Lewis: —the chief electoral officer. I want to remind the House that my majority was not overwhelming and that the excising of even one poll could be a disaster. Therefore, I should like to be consulted on the poll he chooses. I want to make it quite clear that before there is any alteration in the distribution of Scarborough West, I certainly hope that friendly calls will issue because I can give some pretty authoritative and knowledgeable advice about how he might rearrange the riding to remove from it evidence of being a rotton borough and to give to it the kind of persistent left-wing representation it craves, so please feel free.

The most important alterations obviously have to be in the Metropolitan Toronto area and in some of the urban areas because although there will be shifting of boundaries in the eastern part of the province, the point made by the member for Ottawa Centre is a valid point in terms of basic representation. The inner city ridings, particularly of Metropolitan Toronto, experience the dichotomy, the irony—as they do in the municipal ward system—of being ridings representative of a vast range of economic groupings, at times making life difficult for some of the members of the House, and making it rather less a representative function. Ridings need not be homogeneous in economic class, but I do wonder sometimes about the burghers of Rosedale and those who live in the southend of Toronto being in the same riding. The strip ridings, the strip worlds, in the city of Toronto might be re-examined from a point of view of giving a more representative economic, social and cultural configuration.

I would urge that to the redistribution commission, that maybe it's time to make a dramatic break. Maybe it's time to look upon some of the ridings, particularly in downtown Toronto, where that kind of dramatic break can be made, as I think members of the city council in Toronto would wish it to be made on a ward basis.

Obviously, some ridings will disappear. The Solicitor General's (Mr. Yaremko) riding is bound to go. There is no question about that.

Mr. Ruston: He will go, we are quite sure of that.

Mr. Lewis: Well, that is not arguable.

An hon. member: That is the only way.

Mr. Lewis: The one riding in the province which will be absorbed by some other is clearly Bellwoods. As I say, Mr. Speaker, however we accomplish our ends we accomplish them. I would think that that is much wished by all. I would say that the Attorney General (Mr. Bales), on the other hand, will be divided into several sections.

Mr. Breithaupt: Hung and drawn first.

Mr. Lewis: Yes.

Mr. Breithaupt: And then quartered.

Mr. Lewis: Yes, hung, drawn, quartered, fragmented and thrown into whatever area he then chooses. Perhaps he can make room for colleagues who have been forced out of the downtown area because of a dwindling population or other political circumstance. Similarly, in the areas of Mississauga and York, Yorkview, Etobicoke and Scarborough, there will have to be some alteration of boundaries to afford the emergence of one, two, three or four additional ridings. We understand that.

The downtown area, however, poses a really interesting challenge. Maybe the redistribution commission can take a look at this business of socio-economic representation, which will still be heterogeneous certainly in terms of cultural background and obviously to some extent in terms of economic background, but not quite as polarized, and not quite as divided as is now the case. That may be something worth looking at. On the other hand, the commission in its wisdom may choose to discard that. I think that is all I wanted to say.

I wish the commission well in its work. I hope that it will report early so that all of us can make the necessary adjustment. I may say that I was much relieved to notice in the resolution the reference to 10 members of the assembly putting an objection in writing, which, I presume, means some lengthy and careful debate. I can't imagine that anything untoward would happen to that lovely little electoral district which I represent; but I should be pleased to be one of the 10 if need affords.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): We were going to say 25.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, since we are being somewhat parochial, I shall be brief—

Mr. Cassidy: And parochial too.

Mr. Lawlor: —and succinct and parochial at the moment. Addressing my remarks—

Mr. Reid: They are lost.

Mr. Lawlor: —directly to the Clerk—and, for heaven's sake, don't leave, because this is a critical time in my life—my riding, Mr. Speaker, has been gerrymandered in the most atrocious fashion. It is designed to capsulate at the north end, up around Bloor St., as many Tories as they could possibly gather into a single nest, so that the vote comes in as 75 to 1 at a certain point.

Curiously enough, if you take the dividing line as Royal York Rd. down through my riding, and if at the south end among those who are perhaps not quite so well-to-do in the world's goods, if you took my riding from where it is at White Ave., a block or so over, I could then pick up a whole swath of Lawlor voters because I have served them as a lawyer, as a faithful civil servant for a long time.

Mr. A. J. Roy (Ottawa East): Their loss.

Mr. Lawlor: They are all my friends there and then—

An hon. member: I didn't know that.

Mr. Lawlor: —at the north end of the riding, the Conservatives—and whoever divided this thing up the last time did so in a most eviscerated type of wisdom. They have brought in something that is totally out of the blue, having no regional significance, no orientation to the purposes of the riding. They don't even know the name is Lakeshore. Way up at the point where Mimico Creek goes through a very wealthy section, they have imposed a block reaching over to the cemetery—which may be somehow significant in this debate—to cross a wide swath.

Mr. Breithaupt: Don't knock it. They have voted for you for years.

Mr. Lawlor: In other words, they have ignored, truncated and cut off the whole area to the south. It is not logical, and I'm sure that the Clerk of this House is a logical, tidy-minded man. Appealing to nothing else but pure logic, the way the thing appears on the map, Royal York Rd. ought to be the dividing line throughout. Put that chunk of festering rich people somewhere else. I don't want that particular area of the riding. It does me no good. I spent an awful long time knocking at doors to totally no effect, being bitten by dogs and being sic-ed on by millionaires—and I find it a bit too much.

In terms of the straight exigencies of the situation, I hope you will understand me. And then, secondly, in geographical commonsense, it has no place. If it were done deliberately to gerrymander, it couldn't have been done better. Please undo it. Cut the Gordian knot and then I would have no future difficulties in that particular region of the world.

An hon. member: You had better tell the dogs.

Mr. Speaker: Do any other members wish to participate? The hon. member for Thunder Bay.

Mr. Breithaupt: This is the finale.

Mr. Stokes: Mr. Speaker, I appreciate all of the solicitous comments that people in this House have engaged in for a good portion of this afternoon. I personally want to say that I am very pleased that the status quo, at least for the time being, is going to

be maintained in northern Ontario. Regardless of any change in the electoral boundaries, we won't fall down below the number of 15 in the number of ridings that we consider to be in northern Ontario and geographically north of the French River.

Now, because of our inability to keep people in the north, and because of the exodus for any number of reasons to the highly-urbanized centres, particularly Metropolitan Toronto, I realize that it is going to be increasingly more difficult as the years go by to effect any kind of electoral change based wholely and solely on population. I think I can say that for most of us in northern Ontario we feel that the people we represent are entitled to just as good a representation as anybody in the province.

Mr. I. Deans (Wentworth): Well, they get better than most.

Mr. Stokes: Now, the logistics of serving many, many areas in the north are not insurmountable but, to say the least, extremely difficult. Now, I would just like to put it in the proper perspective for those who are convinced in their own mind that it is more difficult to represent ridings in northern Ontario, but don't have direct knowledge of it.

I live in Schreiber on the north shore of Lake Superior, which is 118 miles west of the southeastern boundary of the riding. I go within four miles of the community of White River, reputed to be the coldest spot in Canada, but I don't represent that particular community. My friend, the member for Algoma (Mr. Gilbertson), must travel several hundred miles from St. Joseph Island, through the city of Sault Ste. Marie, to service that end of it. And yet I go within four miles of that community, and I don't represent it.

I know the community and ran into that community as a conductor on the Canadian Pacific Railway. I knew it long before the sitting member for Algoma; but because of some arbitrary line drawn four miles west of the community of White River, I don't represent it.

I have a particular affinity with another community a bit north of there, Hornepayne, on the north line of the CNR. Being a long-time employee of the Canadian Pacific Railway, I personally can identify with that community much more readily than the sitting member for Algoma. And yet, again, he must come all the way from St. Joseph Island, up along the north shore of Hornepayne.

Mr. M. Gaunt (Huron-Bruce): Say, you really want to enlarge your fiefdom.

Mr. Stokes: If I travel to the most northerly place in my riding where I can drive along a road, I drive 135 miles from my home town of Schreiber to the city of Thunder Bay, travelling through the riding of Port Arthur, then travelling through the riding of Fort William until I reach the junction of Highway 11-17 and I travel 153 miles west of the city of Thunder Bay or 11-17 until I get to English River where I get into the riding of my hon. friend, the member for Rainy River.

I go into his riding for 35 or 40 miles until I get to a place called Ignace, again in his riding. I turn north on Highway 599 where I get out of the riding of Rainy River into the riding of Kenora. The Minister of Natural Resources (Mr. Bernier) represents that riding. Because of the irregularities along Highway 599, I leave the riding of Kenora, get back into the riding of Thunder Bay at a place called Savant Lake.

Now I travel 112 miles north of Savant Lake along another irregular section of that road. I leave the riding of Thunder Bay again, get into the riding of Kenora and, after travelling about 90 miles along that route, I again get into the riding of Thunder Bay at a place called Rat Rapids, or Osnaburgh, and travel that for another 22 miles until I get into the most northerly place in the riding that I can drive to by road. It is a place called Central Patricia.

I am not complaining about the logistics of getting around a riding like this. Frankly I enjoy every minute of it. I left this House at 8 o'clock last Thursday evening, flew to Thunder Bay, picked up a Twin Otter, flew to Sioux Lookout and into Big Trout Lake, which is one of the most heavily populated Indian settlements in all northern Ontario.

We had a very enjoyable weekend there, opening a radio station operated by the Indian band and I think it was a real breakthrough. This map, which is made available to people generally across the province, so they will get some idea of what redistribution is all about—I will open it wide like this—is an electoral map of the entire province. The geographic entity which is four-fifths of the province is sitting right down here in the corner. About half of my riding is even left out on the electoral map which is the official publication to apprise people in the Province of Ontario of what redistribution and the electoral boundaries are all about.

I can name at least five communities or centres of population in the northern part of my riding which aren't even on the map. Unless one happens to be on the inside and

knows who the returning officer is for the riding of Thunder Bay or the riding of Kenora or the riding of Cochrane North, one wouldn't know these communities even existed.

I'm sorry that my colleague from Cochrane North, the Minister of Community and Social Services (Mr Brunelle) isn't here because I think he would take great exception to the fact that he represents Fort Albany, Kashechewan, Attawapiskat and Winisk and nowhere on this electoral riding are they even shown. In my own riding Fort Severn, Wunnummin Lake, Lansdowne House and Fort Hope are on it but there are at least half a dozen communities in my riding which aren't even on the map.

Getting over to the west, to the riding of my colleague, the Minister of Natural Resources, I can name half a dozen communities which aren't even on the map. All I am saying is that when the minister gets around to coming up with a new map which reflects the electoral boundaries in the Province of Ontario he will do us in the north the courtesy of at least including us on it because while there aren't many people there—

Mr. D. C. MacDonald (York South): He is a humble fellow; he doesn't ask much.

Mr. Stokes: —there are some people and I like to think that they count for a lot in the overall scheme of things. It is the frontier in the Province of Ontario.

If anything good is going to come to Toronto and if we are going to reverse this terrible trend of concentration of population in the southern extremities of this province—particularly around the Toronto-Hamilton megalopolis—it is going to be in the areas that I represent at the present time. I do hope the Clerk is taking note of this and when the minister comes up with redistribution and he has a map which is going to reflect more accurately and adequately the democratic process in the Province of Ontario, that he makes us a part of the overall map.

Mr. Foulds: The map should be drawn to scale.

Mr. Speaker: The hon. member for Algoma.

Mr. Cassidy: This is his swan song.

Mr. B. Gilbertson (Algoma): Mr. Speaker, I thought I would like to make a few comments in regard to this bill of redistribution. I was very interested in the hon. member for Thunder Bay mentioning the various parts, at least the west part of my riding to which I have to travel a long distance. From my home to Hornepayne would be pretty close to 300 miles. One thing that I do appreciate, now that we have Highway 631 completed, is that it is not as difficult for me to get to Hornepayne as it used to be before the highway was completed.

I would say that although my riding is about 300 miles from east to west, most of the population can be served from Highway 17. I do go 250 miles up the Algoma Central Railway, but there are very few people living up there. There is Oba, which is right at the end of my riding on the Algoma Central with perhaps about 50 people living there. Other than that, I think my riding is a lot better than it was before the redistribution prior the last election.

Mr. Laughren: I get a lot of complaints though.

Mr. A. Carruthers (Durham): We get a lot of complaints about the member for Port Arthur too.

Mr. Gilbertson: Then I go up Highway 129 from Thessalon to Aubrey Falls, which meets Nickel Belt.

Mr. Laughren: I get a lot of complaints from the constituents; that's where I get the complaints. It's terrible.

Mr. Gilbertson: Of course, there are very few people living on Highway 29 once one gets a little way from Thessalon.

Mr. Laughren: I particularly get complaints from those constituents bordering on Timiskaming—particularly from the working people.

Mr. Carruthers: Why doesn't he dry up?

Mr. J. R. Rhodes (Sault Ste. Marie): Is the hon. member standing up or sitting down?

Mr. Laughren: They recognize him for what he really is, anti-labour, anti-elderly, anti-everything—they call him anti-Ed.

Mr. E. M. Havrot (Timiskaming): The hon. member wouldn't know what the word "labour" meant. He never worked a day in his life.

Mr. Laughren: The truth is coming out about his whole attitude in the province.

Mr. Rhodes: Get him a box. Why doesn't he get up on a box?

Mr. Laughren: They know about his whole attitude toward labour.

Mr. Havrot: Sit down. Sit down.

Mr. Ruston: Order.

Mr. Gilbertson: I would say, Mr. Speaker, that at the present time I can't see where there could be any drastic changes in the borders of my particular riding.

Mr. Rhodes: Is there a lot over there? Get on it.

Mr. Gilbertson: Especially now, I wouldn't be too interested in seeing any changes because I have got to know the people pretty well now right from east to west—

Mr. Laughren: His constituents would like to see a change.

Mr. Ruston: He'd better retire.

Mr. Rhodes: The member shouldn't speak for Centre Island. Let's not have any of that. Don't talk about—

Mr. Speaker: Order.

Mr. Gilbertson: Well, it's the voters I am thinking about. I am not that much concerned about—

Mr. Laughren: His riding association are voters.

Mr. Deans: I want the member to realize there are others who are thinking about that.

Mr. Gilbertson: I would hope that the Algoma riding will stay the way it is as far as boundaries are concerned. I have got to know all the people pretty well, and I hope they don't change it—

Mr. Laughren: The cases I have seen from Algoma are just insufferable. They are starting to see the truth. The next two years will tell.

Mr. Gilbertson: —because I am quite satisfied the way it is.

Mr. Deacon: I am not sure they are.

Mr. Gilbertson: I think that is all that I would like to say.

Mr. MacDonald: Does the hon. member for York Mills (Mr. Bales) want a change?

Hon. Mr. Bales: Mr. Speaker, I think most members who wish to participate have done so, and perhaps I could just say a few words before the conclusion of this matter.

I have noted that a great deal of advice has been given to those who will become commissioners in this case. I am sure that they will read today's Hansard and take it carefully to heart.

The commissioners have not been appointed. I would anticipate, as have many members in this House, that the Clerk, in his role as chief election officers, will have a great part to play in the commission. I think we should be very appreciative of his expertise, not only as Clerk but in his role as a commissioner in the federal redistribution and in a number of provincial redistributions; he has shown that he has a great knowledge of the whole election matter in this province.

There has been a lot of pleading, I think, about individual ridings. I have no idea what the committee will recommend in reference to York Mills. If they do decide to split that riding, I shall be hard-pressed to decide in which part I am going to seek re-election.

Mr. MacDonald: That's a good thing to say at this point.

Hon. Mr. Bales: I think so. Quite frankly, I'm quite content if they leave it as it is. I'll look after it again, as I have in the past.

In reference to the—

Mr. Martel: Did he get a staff to do the job for him?

Hon. Mr. Bales: No, I do it myself, with many volunteers and a lot of converted NDP supporters.

Mr. Speaker: Can the hon. minister complete his remarks in a minute or two?

Hon. Mr. Bales: Yes, Mr. Speaker, I think that the proposals as set forth in the motion are fair and reasonable. It is necessary and desirable at least to maintain the number of seats in the north and to leave the leeway on population to the commission as they have done.

Resolution concurred in.

It being 6 o'clock, p.m., the House took recess.

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No. 155



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Wednesday, December 5, 1973

Evening Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

THIRD READING

The following bill was given third reading upon motion:

Bill 225, An Act to permit Municipalities to grant Assistance to Elderly Residents.

Mr. P. D. Lawlor (Lakeshore): We did that already. How many third readings can a bill have?

Clerk of the House: The second order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

Mr. V. M. Singer (Downsview): Oh, for God's sake, isn't that great!

Mr. I. Deans (Wentworth): On a point of order, can we get some sort of an indication of just how serious this is? Ah, now we are getting to the man of the hour—here comes the member for York East (Mr. Meen). It's not that I couldn't have given a speech; it is just simply that I don't want to waste the time of the House.

REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK ACT

Mr. Meen, on behalf of Hon. Mr. White, moves second reading of Bill 226, An Act to amend the Regional Municipality of Haldimand-Norfolk Act, 1973.

Mr. E. R. Good (Waterloo North): Mr. Speaker, the bill before us is the other half of the legislation necessary to implement the regional government in the region of Haldimand-Norfolk. As you will recall, Mr. Speaker, some time ago we passed the legislation that dealt with the mechanics for the elections which are necessary, and will be held on Dec. 10, some five days hence. In order to have these elections we had to pass the original half of the regional government legislation so that the elections could be held in time to establish the new councils for the region to come into being officially, I believe, on April 1, 1974.

The legislation calls for six area governments to form part of the new regional government—I think this is a consolidation of 28 former municipalities—and that by April 1, 1974, the new council will officially take over its duties. The legislation is quite similar, from my perusal, to legislation governing other regional governments and there are just a few areas on which I would like to make some comment.

I see that under the section on regional roads the cabinet will have the final decision as to whether or not roads may be removed from the regional roads system. I would presume that the dialogue between the municipality and the Ministry of Transportation and Communications will give the ministry the authority, under the Highway Improvement Act, to transfer roads from the ministry to the region as in other municipalities I hope this can be worked out amicably and in the best interests of the region because, in many other areas, the transfer of roads from one level of government, especially from the province to the region, has necessitated the region transferring roads from there to the area municipality and has resulted in some hardship as far as the ultimate upkeep of the roads is concerned.

In the matter of the police departments, I understand the police will not be set up by a regional police board but the responsibility for policing will remain in those portions of the regional area in which the local municipality maintains a police force on March 31, 1974, and that the Ontario Provincial Police, as I read it, will continue to act in those areas in which they now serve. If I interpret this properly, that is quite a departure from the regional police forces that have been set up in other regional municipalities.

Perhaps the parliamentary assistant (Mr. Meen) would explain why the government is doing this. Is it because of the tremendous costs involved in other regions in setting up regional police forces? Perhaps that is one of the major reasons for not setting up the regional police force on the scale that it has been set up by other regional governments.

If that is so, perhaps it is a good idea to try the police force on a less grand scale than has been set up in other areas because the cost of regionalizing the police force has undoubtedly been the major contribution to the high cost of forming regional governments in most of the other parts of the province.

In my own area I know the necessary communication equipment which the region thought the police should have was going to cost in excess of $500,000. The start-up grants given by the province would not allow expenditures of this size so the communication system will be of a smaller design and less costly, as well as probably less efficient, than they felt they should have in order to set up a truly regional police force.

We have to quarrel once again, Mr. Speaker, with the idea of not giving the region itself control over its own police commission. We note that a judge of a county or district court will be designated by the government, the Lieutenant Governor in Council, to sit on the board. Two members of the regional council only are appointed by resolution and two members are appointed by the government. So the government appointments on the police commission, as in other regions, will dominate the police commission and we don't think that is a good thing.

Perhaps the parliamentary assistant is not aware of the statements made by the Provincial Secretary for Justice (Mr. Kerr). He has gone on public record as saying that he believed judges should not be members of the police commission. As yet, no concrete change has been made to institute his proposals. I don't know whether he made this speech in error in a weak moment, but we on this side think he was acting in the best interests of the police departments in changing the composition of police commissions so that they better reflect their control by public bodies rather than appointed bodies, including a judge for the area.

I note the financial sections of the bill are very similar to the others in that the levy from areas to regions will be related to an equalized weighted assessment which will give areas with more industrial assessment a higher proportion of the responsibility for the regional budget than those areas with less industrial and commercial assessment. I think this is good. It is too early to see just how it is working in my own area, although one wonders whether if by penalizing areas, so to speak, that have a large industrial and commercial assessment, you are going to reach the point of no return—where it is not going to be advantageous for a municipality to have industrial assessment.

I don't think this has been really worked out as yet—at least no one has been able to figure out exactly what the effect will be. Until such time as probably the five-year period of adjusted grants and transitional grants expires, no one will really know what the true impact, the true financial impact, of the regionalization will really be.

The provision is made here for transitional adjustment and start-up grants by the province which, unfortunately, are made according to the legislation at the discretion of the minister. I feel there is much to be desired in this area. I don't think we got a good deal in the region of Waterloo; I have spoken on this before. We got 24 per cent of the start-up grants that we asked for.

I would hope that in a region such as Haldimand-Norfolk, where I would think you have a relatively large area with perhaps some with somewhat smaller population, less assessment base, than we have in our own area, the ministry might find that the need for start-up grants will be equal if not greater than it was in our own Waterloo region.

Mr. Speaker, other than the differences in the police arrangement, I don't see anything too different in this bill from the other bills and that concludes my comments on it.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): The Clerk looks so much like a chairman, Mr. Speaker, that I sometimes forget whether to address you or the Chairman down here.

Mr. A. J. Roy (Ottawa East): Can the member be brief?

Mr. C. E. McIlveen (Oshawa): Just be brief. Eliminate all extraneous remarks.

Mr. Cassidy: I wish the members would listen from time to time, because there is a fair amount of reasonable comment that comes from this side of the House—from all of the members, myself included—

Mr. Roy: Not from the member for Ottawa Centre.

Mr. Cassidy: —and very little that comes from the member for Ottawa East. If the member for Ottawa East were to contribute more and were to be here more often he might learn a bit, rather than coming up with the rather superficial comments which he is wont to provide. And as for the rump,

Mr. Speaker, the rump is absolutely unspeakable, and I shan't mention them.

I would like to make several points about this. As the member for Waterloo North said, this is the second half of a bill of which we have already seen the first half. The contents of the bill were relatively predictable. But I find it really objectionable, to begin with, that—let me see now—five days before the municipal elections in Haldimand-Norfolk, which I believe will be held next Monday, the bill is finally debated in this House. The bill was brought down at the most about 10 to 12 days before those particular elections and therefore, as far as the people in the area are concerned, they have gone through most of a municipal election campaign to form a new region without knowing in hard and specific terms just what kind of new government it was that they were going to get.

However, that's water under the bridge, as are a number of other things, Mr. Speaker, in the case of this particular bill. And, frankly, I regret it. I think the government will live to regret it, and I think that people in the province over the next two or three decades are going to regret it as well.

Since we last debated the Haldimand-Norfolk bills a couple of months ago we have now had, as was predictable, the announcement by Stelco that it is going ahead with its major expansions at the Nanticoke site. And I have to believe that the sum involved is $490 million.

It simply confirms what we said in the House at that time; that the government pulled out the cork and began to get moving on government restructuring with terrible haste, beginning in August, because Stelco told them to and this government dances to a tune which is played by a large private company, that is the Steel Co. of Canada.

Now the problems in the area which arise from the haste with which the government has gone ahead, and from the confusion with which the government is proceeding, are multiplying. Let me cite one very specific one, Mr. Speaker, and that is the question of land speculation, which was endemic in the region last spring and is now epidemic in the region, and is being encouraged, if you will, by the indecision and inability of the province to make the necessary choices on planning and to give a clear indication of what it is it wants to do.

The only thing that has been done by the province in the area up to now is to impose a minister's order to freeze land use in the area. Without going into details, that freeze of land use has been used in a picayune kind of manner to stop minor development, but in the meantime an elephant has gone through the stable door, or the equivalent. Land prices have been escalating at an enormous rate.

Mr. Roy: Just a big horse.

Mr. Cassidy: Speculators will continue to speculate, regardless of land use freezes, if they can foresee that at some future time they will be able to benefit and get their land rezoned. They don't care, particularly, if they are frozen for a year or two, if they believe that ultimately their land will have a use which is very valuable and that they will be able to recoup what they paid for the land and more, from the province or from other private entrepreneurs, or through actual development.

Now that's just a fact or life. It's happening around Toronto. It's happening in the Haldimand region. To be very specific and to put some facts on the record, Mr. Speaker, since these subjects were last raised in the House and since the speculative activity in the area has been intense, in addition to an assembly made by Fidinam—a company with which the parliamentary assistant is no doubt familiar—which was made neighbouring the Stelco site at Nanticoke about three or four years ago and which amounts to 2,300 acres, some 5,000 acres have been optioned within the Lynn townsite in Woodhouse, at an average price of $2,700 an acre by a Toronto firm; and another firm, known as Greater York Developments I believe, has bought about 1,000 acres near Jarvis.

In addition to that, the group of developers who are working with Mr. Andrew Cherkas of Oakville, a speculator and developer, have re-optioned the land which they had originally optioned. They have renewed options on 11,000 acres of the original 14,500 acres they had at the prices which they had optioned them for previously, that is around $1,700 an acre. Essentially, therefore, they have been able to freeze the price of the land for a year.

I think it's rather ironic, Mr. Speaker, that it may—

Mr. R. Haggerty (Welland South): A big slice of the pie.

Mr. Cassidy: It may be that this group of developers, whose aim obviously is not to benefit the government but simply to line

their own pockets, may ultimately have done the government a service, because they have frozen land at a price which is considerably less than the price of other desirable or possible townsites in the area; that is, the price at which land in other possible townsites in the area is changing hands at this time.

Mr. Speaker, the assemblies of land that have been made so far amount to something like 23,000 acres, and from people in the area we learned that the actual assemblies may well amount to as much as half as much again. That's the amount of speculation which has been encouraged in the area. The problem, of course, is that as long as the government refuses to act and refuses to make up its mind, this speculation will go on and the overall price level of land will continue to rise. The land will change ownership from farming, from agriculture basically, into either citified uses or speculative uses. It will be taken out of agriculture; and the price level at which the province or the regional municipality, or a new development corporation or some other such body will eventually have to acquire land, will obviously be very profoundly affected by the speculative price levels that are now being achieved.

Mr. Speaker: Is the hon. member speaking to something relevant to this bill?

Mr. Cassidy: Very much so, Mr. Speaker.

Mr. Speaker: What portion of the bill? I fail to tie it into the bill itself.

Mr. Cassidy: The regional municipality has control over planning powers, Mr. Speaker, and the question of land prices is very relevant to planning, given the fact that a new townsite is called for as a major element in the development plan proposed by the province for Haldimand-Norfolk.

Mr. Speaker: Yes, but is the member speaking of the land assemblies within this area or generalizing about the province?

Mr. Cassidy: I'm sorry; all of the land assemblies I've spoken of are in the area of Haldimand-Norfolk. Okay?

Mr. Speaker: I think it should be in order.

Mr. Cassidy: No, it is a fair question, Mr. Speaker. All of the land sites are within the area—

Mr. Roy: Any time the member wins the argument, it's a fair question.

Mr. J. E. Stokes (Thunder Bay): Any time the member wants clarification—

Mr. Cassidy: Mr. Speaker, you happened to catch me at a natural break in my comments because I was about to move on to the whole question about planning in the area.

Mr. Roy: The member will go on.

Mr. Cassidy: This is, as I said, covered in the bill. Responsibility for planning is being given to the new regional municipality but the situation around planning is extraordinarily confused. That's the best that can be said for it.

There is a Haldimand-Norfolk study group which prepared the two or three volumes called "Threshold for Change" which included a draft plan or the outlines of a draft plan for the new region of Haldimand-Norfolk. This study group continues, even though the volumes of recommendations that it prepared have been published and are now being acted upon by the government.

There is a field office; there are planners in the area. The planners, I understand, are mainly involved with co-ordination of some functions or other with local municipalities. The problem is, though, that the planning people who worked with the Haldimand-Norfolk study don't appear to be working on further planning at this time. I am given to understand that the regional planning branch of the Treasury and Ministry of Economics and Intergovernmental Affairs is working on a regional plan for the area but there has been no application of the provincial Planning Act to the particular area in order to indicate that the province is directly interested.

The province—or the Treasurer (Mr. White)—has been making a number of pronouncements which lead to an enormous amount of confusion because they indicate that the original proposals for a draft plan made by Nigel Richardson and his study team have been rejected by the province. Specifically, the Treasurer has been saying that any plan coming down from the province in the near future will not contain a specification of the new townsite. The government has also spoken about having a commitment to public hearings on the new townsite and is therefore imposing pretty length delays on that particular decision which, in turn, will permit speculation to continue to even more dizzy heights than it has reached at this time.

As far as people in the area are concerned, as far as the new chairman is concerned

and so on, it looks as though what they want are some decisions by the province but they are not getting them right now and the province has not explicitly said what the devil it is doing.

On the one hand the Treasurer says, "Maybe we won't have a new townsite at all. Maybe the planning can be done by the regional municipality. Maybe the increase in population can be accommodated by the expansion of Simcoe and Jarvis and Dunnville and other towns and villages in the area." That is a conceivable option in the development of this area, Mr. Speaker, although I remind you that it is going to quadruple in population over the next 25 or 30 years because of decisions made by the government. When one quadruples population it is very difficult to take existing towns and villages and simply allow them to expand.

The speculative activity again is intense. The costs to the ultimate consumers of the housing, in rents, in land prices, in the rents of commercial premises which affect the costs of goods sold in the area, and so on, are pretty heavy. These costs, which are not inevitable, can be avoided and could and should be avoided by action by the government. But the government is not acting in that particular way.

Perhaps the parliamentary assistant can tell us specifically and give us some clear answers. Has the government decided to abandon a new townsite in the area? If so, if it is abandoning a new town, what are the options or what are the alternative routes that it wishes to go ahead with? Will it proceed with planning on the basis of the provincial Act we passed last summer, the Ontario Planning and Development Act, or does it believe that the official planning powers given to the regional municipality in this particular bill are adequate for what needs to be done in that particular area? If it has abandoned the new townsite, does that mean that the other features of the plan recommended by Mr. Richardson and his study team have been abandoned as well and that the Treasurer's talk of bold planning initiatives is just a pile of nonsense?

On the other hand, if the province has not abandoned the idea of a new townsite, what is it going to do and how does it intend to proceed? How does the province believe that public hearings can be held on that particular decision without permitting an excessive, undesirable and unacceptable level of land speculation in that particular area? Does it believe that the land for the new town should be publicly owned, a commitment which we thought it had made when we began talking about Haldimand-Norfolk a year or so ago? If not, does it believe that any controls on land prices are necessary or desirable and, if so, what kind of controls?

Mr. Speaker, I appreciate that's a fairly lengthy series of questions. On the other hand, the parliamentary assistant is flanked by a galaxy of talent sitting underneath the Speaker's gallery there. They are competent people and they can probably provide some answers to the parliamentary assistant, answers which I suspect he may, in fact, need.

Frankly, we don't see how the whole planning thing is going to work. If the province is going to move in under the Planning and Development Act, then the clauses in this particular bill which speak about the creation of an official plan at the local levels by the end of 1976, I think it is, are useless, are worthless, and aren't worth the paper that they are printed on, because the province would be making its decisions first. The region will not be able to move until the province has made its decisions. There will be a series of hearings, an opportunity for involvement on the provincial plan, and the local planners may as well forget it. If the province isn't going to move, on the other hand, then the local planners have got a devil of a job in doing what it is they have to do.

Mr. Speaker, in other words, we don't see how the local plan preparation is going to fit in with the provincial plan preparation and we don't know who is going to be preeminent in this particular area. We think that it's time now for the provincial government through the parliamentary assistant to discuss that problem and to indicate where the province stands.

As a general theme, I have read through the bill quite carefully now and looked at it in comparison with other regional bills, and it's a fairly straightforward regional bill, off the same mould which gave us the regional municipality of Sudbury or of Niagara or Halton or Peel or Durham or Waterloo or the others we have had around the province. There are a few sort of individual matters in this particular bill which differ. Different accessories, if you will, have been built into this bill than in other regional governments.

I don't even want to touch on some of the things, about the fact that water is regional, that welfare is regional, that the police force is regional. That last one is a decision that I think that the government will rue in time and the member for Haldimand-Norfolk (Mr. Allan) may rue that one as well, because there will come pressure from local people to

assume the cost now borne by the OPP in the rural areas.

Mr. M. Gaunt (Huron-Bruce): The police force isn't regional.

Mr. Cassidy: It is not regional right now, but it will become regional in this plan. There will be pressure from the province for the local people to take up the cost of OPP policing as well, and that will bring heavy new costs in its wake and could even cost support to the member for Haldimand-Norfolk.

The planning provisions are unique, Mr. Speaker, because in the planning provisions the region has until the end of 1976 to prepare an official plan, and over that period of two and a half or three years there is effectively no local planning permitted whatsoever. The wording of the Act in section 55 and section 54, I think it is, is very explicit that there are no planning functions at the local level until the region has prepared a new official plan. The fact that Simcoe and one or two of the other municipalities in the area may have official plans at present is not sufficient for the province to permit the creation of a planning board at the local level until the regional official plan is prepared. That's to the end of 1976, and the pattern in other regional municipalities has been that it takes at least that long to get these official plans through. In the region of Ottawa-Carleton the official plan was due by the end of 1972, I believe, and it is still being worked on and will be at least a year and a half late. The same problems will tend to dog the people in Haldimand-Norfolk. Only after 1976 will it be possible for district planning boards to be established and for district planning to get under way—

Mr. Haggerty: The government has had seven years to plan there.

Mr. Cassidy: —and that only with the approval of the regional council. In other words, if a district or one of the area municipalities in the new region of Haldimand-Norfolk wishes to have district planning, it may be thwarted in that desire because of the reluctance of the regional municipality to go along. What that means, Mr. Speaker, is that for a crucial period of two or three years, local involvement in planning in Haldiman-Norfolk will be non-existent, because it is deliberately being written out in the Act.

Mr. Haggerty: Run wild. I wonder why?

Mr. Cassidy: I suspect that the intention of the government has been that, given the weakness of the municipalities and of the county in the area right now, the best thing to do is to build up one planning department at the regional level. I suspect that will be the answer that will be given, but I think the consequences of that particular decision have to be faced by the government.

We suspect very strongly, even with planning at the regional level and even with all of the other frills and niceties that have been introduced into this bill, that the new regional government of Haldimand-Norfolk will simply be incapable of coping with the development pressures which are going to be generated by the construction of the Stelco plant, the Hydro plant, the Texaco plant and the other developments which are either there or will come in the wake of the major industrial expansion that is under way right there.

Mr. Haggerty: The whole industrial park.

Mr. Cassidy: Perhaps one of the significant things about how well the province expects the region to cope is the fact that the new regional chairman, Mr. McCombs, is a former warden of Haldimand county, and will receive a salary of only $18,000. I say only $18,000, not from the superiority of an MPP who has just had a pay raise, but in regard to the other regional chairmen across the province. The minimum salary paid in any other region of the province is $25,000; that is the next lowest paid regional chairman.

The salary that is paid doesn't necessarily reflect on the capability of Mr. McCombs. I don't know the man personally; I presume, given the influence of the member for Haldimand-Norfolk, that the man is a good Tory. I hope that he has got some competence and some capacity—

Mr. J. M. Turner (Peterborough): A good Tory.

Mr. Cassidy: —but it does indicate the kind of importance that the government attaches to the local role in the Haldimand-Norfolk area.

It also has a very substantial and direct impact because of the fact that the salaries of senior officials in the region tend to be linked to the salary paid to the chairman. In other words, if we pay the chairman $30,000 a year, then we can justify and accept the need to hire a $25,000-a-year planning director if he's the guy who is competent and that is what he costs on the market. If we pay the chairman $18,000 a year, then that tends to set a ceiling on the

salaries they pay to their chief engineer, their roads commissioner, their planning director and any other officials they may want to hire. The fact is that one cannot find for $15,000 or $16,000 a year—if I may put it very bluntly—one can't find, at that salary, a planning commissioner with the confidence, experience, and knowhow, to stand up to the pressures of a big, prosperous and well-equipped company like Stelco, with all the manpower and planning staff and so on that it can command.

In other words, Mr. Speaker, it seems likely that Haldimand-Norfolk is going to have trouble attracting a good planning staff. Now, the parliamentary assistant may well get up and say, "Look, if they need to pay $22,000 for a planning director they can go ahead." And so they can, but there is a very serious status problem here, which is that when the boss makes so much it is pretty tough to pay anybody else any more than the boss gets. You can see it in this Legislature, where, next to the member for Wellington-Dufferin (Mr. Root), the highest-paid member has been the Premier of the province (Mr. Davis).

Hon. W. A. Stewart (Minister of Agriculture and Food): That is a ridiculous statement.

Mr. Cassidy: Oh, he was. He was.

Hon. Mr. Stewart: The member sure knows it is ridiculous.

Mr. Cassidy: No, as a matter of fact the Premier is now the highest-paid member of the Legislature.

Hon. W. G. Davis (Premier): The member doesn't do his homework.

Mr. T. P. Reid (Rainy River): He is too busy here talking about nothing.

Mr. Cassidy: The hierarchy comes down from that. The ministers get less than the Premier, the Leader of the Opposition (Mr. R. F. Nixon) gets something similar to ministers, the leader of the third party (Mr. Lewis) gets something less and so it goes.

Hon. Mr. Stewart: This is a disgrace to the Legislature, nothing else.

Mr. Cassidy: This is a hierarchical kind of thing and it is just a fact of life in Ontario society. All right. The point is that at $18,000 a year it is going to be tough to acquire good staff in order to stand up to the pressures.

The next point, in terms of the ability of the new region to cope, is the atttitude that is already being reflected by the new chairman of the regional government, who has been quoted as saying: "All regional government is, as I see it, is a larger form of county government. If we can keep the administration costs down then it will be the same as it is now." That is a direct quote of the new chairman of the Haldimand-Norfolk regional government, who really doesn't understand what is happening in that particular area.

Perhaps I can remind the parliamentary assistant that that is a general problem in that particular area, that the people don't really know—according to the surveys made by Mr. Richardson—what is about to hit them, and obviously that insouciance, that inability to understand what is going to happen, extends right through to the regional chairman.

At the present time, Mr. Speaker, there is no planning staff working for any of the municipalities within the new regional area nor for either of the two counties. All the work on official plans and so on has beeen contracted out to consultants. There is no body of planning expertise, in other words, in the area, apart from that which exists in the field office of the Haldimand-Norfolk study and the planning expertise that the province may be able to contribute through its regional planning branch.

That means that when the planning staff comes in they will tend, almost entirely to be outsiders with little or no experience of the area. That again is going to make it difficult for them to do an adequate job on the official plan, which is meant to determine the future growth and development of the area. Let me give a specific example of the kinds of pressures that the planners and politicians in the area are going to bear.

The new regional council will be sworn in, as I understand it, on Jan. 1, but will officially take office and will commence to be paid on April 1 of this year, because of the rather curious compromise worked out by the Treasurer between the two counties. The speculators, led by Andrew Cherkas, who have the townsite which appears in financial terms to be the most economic to develop, given not only the land cost but also the cost of providing services, sewage facilities and that kind of thing in the particular area, have extended their options to May 30, 1974, ostensibly to give the regional council time to make a decision, and the minister says a decision should be made by the regional council.

It really is inconceivable to us that the new council will be able to make any kind of an intelligent decision by that time. Perhaps all that the Cherkas people are saying is that for $11,000 it is worth the gamble, and maybe that is all that they are really into. On the other hand, maybe they think that they can simply buy up the new council if the Treasurer and the hon. member for York East believe that the new council are the proper people to make the decisions in the area. I really don't know, but nevertheless it seems clear that there is going to be that kind of pressure in the area. If the province decided that it wanted major development down there it should have been prepared to take some of the other decisions consequential upon that, rather than waffling in the way it is doing right now about whether it is local people who make the decisions or whether it is going to be the provincial people in there.

Mr. Speaker, the next point concerns the costs which are going to be involved. I see nothing in this bill which provides anything more than the transitional payments and the increase in grants consequent on moving from a county status to a regional status. There is no special financial provision to help the people in Haldimand-Norfolk meet the costs of regional government and specifically meet the cost of regional government in a very fast-developing kind of situation.

I think that Haldimand-Norfolk is unique in the province in the kind of problems that it will face. It has a total population of about 83,000 when it is being created, and that is only half the population of the next smallest region in the province, namely, York. No, I'm sorry, that may be wrong, but I believe it is about half the population of the next smallest region in the province.

When you look at the costs that these regional governments are incurring and compare them with the kinds of costs that Haldimand-Norfolk is currently having to meet, you can see that there are very substantial increases in taxes that lie ahead for the people there and that they are not compensated for by the various grants.

For example, Mr. Speaker, the cost per capita of general government in 1971 in York, Ottawa, Niagara and Metro Toronto averaged about $16 to $18 per capita. The cost in Norfolk and Haldimand on a weighted basis was around $13 per capita—a difference of $3 to $4 per capita. The difference in the grants between the unconditional grants paid to municipalities and the unconditional grants which are paid to regional municipalities is of the order of about $2.50 per capita. So right there alone, the increase in per capita grants will be more than eaten up by the pretty inevitable increases in costs for general government purposes.

Then if you look at the costs of planning, Mr. Speaker, on a weighted basis the costs of planning in Haldimand-Norfolk a year or so ago were around $1.35 per capita per year. In York, Ottawa, Niagara and Metro Toronto those costs were running between $2.80 and $5 per capita, and averaged out probably at around $3.25 or $3.50—once again, in other words an increase of about $2 per capita.

That assumes though, Mr. Speaker, that the new regional municipality will be able to achieve the same economies of scale as can be achieved in places like Ottawa-Carleton, Niagara or Metro Toronto. These are areas that have populations of anywhere from four to 12 times the population of the new region.

When you take a more directly comparable situation and look at the experience of the district municipality of Muskoka you find that the costs of general government and the costs of planning in a small regionalized government are exceptionally high. In the district municipality of Muskoka with only 30,000 residents, the cost of general government in 1971 was $33.24 per capita, and that is about double the cost of general government in any of the other municipalities I have cited. The cost of planning in Muskoka was something like $8 per capita as compared to $1, $2 or $3 in the other municipalities that are affected.

In other words, when you move to the ambitious kind of regionalization which the government wants to impose on Haldimand-Norfolk, or has imposed on Haldimand-Norfolk, the increase in costs will be much higher on a per capita basis than it would be in a large region or federation like Metro Toronto. There is no hint, there has been no indication that the government is willing to provide the financial support for Haldimand-Norfolk to engage in the kind of planning effort that clearly will be necessary in order to accommodate the enormous industrial and population growth which is involved in that area.

I can't give precise figures. I am pretty sure that the government hasn't tried to work them out. But if you want to work it out on very specific terms right now, planning in Muskoka in 1971 cost about $240,000 for a full year as compared to a

total of approximately $100,000 that was spent in Haldimand-Norfolk. The planning in Haldimand-Norfolk is going to go up to at least $250,000, and probably much more because the area is larger than Muskoka, and because the problems it faces are an awful lot more difficult to deal with than the environmental problems which are the basic difficulty in the district municipality of Haldimand-Norfolk.

There are some other questions I want to raise about the bill as well. There is the problem of how you adapt regional government to an area which is basically rural. There is no provision here for urban service districts as were recommended by Mr. Richardson in his study, nor is there any provision for an improvement or a review of this regional government structure in four or five years time, as was also recommended by Mr. Richardson.

Perhaps I can remind the parliamentary assistant that Mr. Richardson saw very clearly that the regional structure of two-tier government with many powers passing the upper tier, which he ultimately recommended, was second best; and that it would be much better in an area like Haldimand-Norfolk to have three or four unitary municipalities of substantial size and powers in the area. He couldn't see his way clear to recommending that at this particular time. But he did recommend that there should be a mandatory review of the structure there within a short period of time. That is not provided for in this particular Act, and I think it should be.

The next point made by Mr. Richardson was that when you dissolved these villages and townships and so on, you removed local access to government. We have had the same problem in Ottawa-Carleton with the police villages that have been dissolved and with no adequate replacement being put forward in its stead.

Mr. Haggerty: Are you for regional government?

Mr. Cassidy: Are you?

Mr. Haggerty: I am asking you.

Mr. Cassidy: Are you?

Mr. Haggerty: You are taking a different approach to it now.

Mr. Roy: Don't answer a question with a question. Answer it.

Mr. Cassidy: As a matter of fact, in the way in which this government has been doing it, no.

Mr. Turner: Give us an unqualified answer.

Interjections by hon. members.

Hon. Mr. Davis: That was a predictable answer.

Mr. D. C. MacDonald (York South): At least the member for Ottawa Centre is a bit smarter than they are.

Mr. Cassidy: That's right.

Hon. Mr. Davis: And an awful lot smarter than you fellows.

Mr. Cassidy: At any rate, Mr. Speaker, we are concerned that there is no means of providing local involvement in the government. We think that the provisions for urban service districts should either have been brought in or should have been included in this particular bill. I recommended this in the last Haldimand-Norfolk bill and the government had sufficient time to ponder about this particular question. There would have been no problem for it to have brought it in in the second instalment of the Haldimand-Norfolk legislation.

Mr. Speaker, that pretty much winds up the points that I wanted to make about the bill.

Interjections by hon. members.

Mr. Cassidy: I'm sorry the Liberal Party is not willing to listen. They are not willing to listen to very much, either federally or at this particular level.

Mr. Roy: Did that applause hurt the member's feelings?

Mr. McIlveen: It was the best applause I have ever heard him receive.

An hon. member: He had better sit down while he is ahead.

Mr. Cassidy: Mr. Speaker, I have been reflecting about this particular bill. The problem in deciding how to actually vote on the bill is that the region is a fait accompli. The government has gone ahead, it has imposed it, and an election is being held next week.

Frankly, we don't think that this new regional government structure will be able to cope with the problems which have been created for it by the government by its actions. We think that they are going to be run over roughshod by Stelco; that the planning is going to be extraordinarily difficult; and that the financial problems in the area are going to be intense, because there is no indi-

cation that there will be special government support for the special problems that the new region will bear in the particular area. We think that they'll be unable to get adequate staff with the kinds of salaries that are available, and we simply don't like the way the government is proceeding. For these reasons, Mr. Speaker, we will oppose the bill.

An hon. member: The member hurt our feelings.

Mr. McIlveen: Too bad.

Mr. Haggerty: It took him long enough to tell us that.

Mr. Speaker: Does any other member wish to enter the debate on this bill?

Interjections by hon. members.

Mr. Cassidy: Well, why doesn't the member for Timiskaming enter the debate?

Mr. E. M. Havrot (Timiskaming): There's nothing wrong with the bill. I'm all for it.

Mr. Speaker: If not, the hon. member for York East.

Mr. Cassidy: It's taking development away from the area of the member for Timiskaming.

Mr. Havrot: You don't even—

Mr. Cassidy: Thousands of jobs from Timiskaming riding are going down to Haldimand-Norfolk.

Mr. Speaker: Order.

Mr. A. K. Meen (York East): If I may have the attention of the members—

Mr. Stokes: What about the 15 per cent unemployment in the member for Timiskaming's area?

Mr. Havrot: Not in our area.

Mr. Speaker: Order.

Mr. Stokes: He told me so the other night.

Mr. Meen: —I think what I'd like to do—

Interjections by hon. members.

Mr. Cassidy: They may be driven away by the member for Timiskaming's personality.

Mr. Meen: —is direct my attention, if I may have the attention of the hon. members, to the comments made by members opposite in the order, more or less, in which they were raised. The member for Waterloo North offered, I felt, some very helpful comments in the course of his remarks.

Interjections by hon. members.

Mr. Reid: He made them out well.

Mr. Good: Just don't overdo it!

Mr. Meen: Yes, exactly. Having said that—

Mr. Reid: Now we can relax.

Mr. Meen: —he misunderstood the provisions as to roads which are really standard in all our bills.

Mr. Stokes: None so blind as those who won't see.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): The member is the spokesman for the group.

Mr. Meen: Provision for approval by the Lieutenant Governor in Council of any transfer of roads, after they have been brought up to suitable standards, is a pretty standard procedure. It was carried out in Muskoka, for example, where the Ministry of Transportation and Communications approved several of their roads before they were transferred over to the region.

Mr. Good: I still say it is the wrong business.

Mr. Meen: Well, we think it is a practical way in which to do it. In any event, this is standard practice which we are following here again.

As to police, I beg to differ with the hon. members because in point of fact there will be a regional police force. The hon. members have noticed that its immediate authority resides only in the urban areas presently being provided with police protection, but it is still a single regional police force, thereby qualifying the region for the per capita grant. Those per capita grants will be made to the region on the basis of the total per capita throughout the whole of the region and not just the people served by the present municipal police forces.

Mr. Good: The OPP will continue?

Mr. Meen: The OPP will continue to police throughout the balance of the region, including the area presently policed by the Norfolk county police force which comprises, I think, four or five men at the most. They will be absorbed into the regional police force, presumably serving in the general area of Simcoe and environs.

Mr. Good: The government is giving them special treatment down there.

Mr. Meen: We must recognize, Mr. Speaker, that Haldimand-Norfolk is a very different kind of region from any of the others. We are dealing with a region that is, I think, about three-quarters rural. It has no very large urban areas right now. This, of course, is part of the reason for the essential nature of the regional government and local government reorganization programme because in the next decade and less there are going to be just tremendous growth pressures down there.

Mr. Cassidy: They are there now.

Mr. Meen: Well, they are there and they certainly are not going to go away, and nothing this government could do would change that.

Mr. Cassidy: That is not true. Come on.

Mr. Meen: The development which is going to take place in that area requires that there be a form of local government down there which can cope with it from a planning standpoint, from a policing standpoint, from all quarters.

Mr. Cassidy: The government has never looked at that question.

Mr. Meen: In the case of the police forces —and I'm directing my remarks to policing mainly at the moment—we have the provisions in the bill which will enable the police services to be extended from time to time as the areas grow or to be put into new areas—if new areas are indeed created —at the initiation of the local police board or commission or, if the government here should see fit, it can be extended by a Lieutenant Governor's order in counuil.

I want to mention financing. The fiscal year, being different from the calendar year, did create some problems but, on the other hand it may work out to some substantial benefits for the residents of the area. The fiscal year will be nine months but the grants for the region will be a total of 12 months at the regional basis. This will help overcome some of the transitional fiscal problems that they might otherwise incur.

Mr. Cassidy: But the area municipalities use the same grants.

Mr. Meen: The member for Ottawa Centre complains about the lack of time for candidates to get to know what this aspect of the regional structure was all about. He suggested, if memory serves me, that we allowed them all of 12 days. If he cared to look at the face of his bill, he will see that the bill was introduced on Nov. 15. I would remind him that if he has been reading the press at all, from down Simcoe way—

Mr. J. R. Smith (Hamilton Mountain): He has never been to Cayuga.

Mr. Meen: —he would know that on Wed., Nov. 17, I attended, together with members of the staff, at Delhi and met with the joint study committee comprising the members of the two county councils. Indeed, the meeting was open to the press and all other interested parties who cared to find out what the bill was all about, and came down and attended. We had a most productive evening. I was able to answer, together with our staff, a host of questions that came up and I don't think anybody was left in any doubt whatever as to the nature of the bill. They had already seen the bill which created the structures of the regional municipalities and established the representations, the dates for the elections and so on. They were in no doubt whatever.

I want to point out that if one goes back to Nov. 15, and adds another 10 days to that, one comes up to 25 days, dating forward to Dec. 10, the date of the election, which is a whale of a lot different from the 12 days the hon. member was suggesting, like a two to one difference.

As to the question about the government's intentions regarding the new town, there is the site recommended by Richardson, and then there is the area developed by the independent speculators, who tend to refer to that as the Townsend site.

In fact, I suppose if the hon. member for Ottawa Centre had been listening, he would know that the Treasurer has said that all our options are open. We haven't opted for one; we haven't opted for the other. Indeed, it's entirely possible that we may not opt for any of those and there might be a third site; or indeed, it might be possible for the existing municipalities to handle the growth under the guidance of the planning done by the new regional council.

Mr. Cassidy: I said that in my speech. I didn't think it was noticed.

Mr. Meen: The Planning and Development Act has not, at this moment, been applied to Haldimand-Norfolk, though it would not surprise me if it were applied, in whole or in part, in the not-too-distant future. If it were,

then there would be the provision for public hearings. There would be provision for input from the planning committee of the regional council. There would be all kinds of co-operation and co-ordination of effort, in any event, with the regional council and with the committee of the regional council dealing with planning.

I just can't imagine that we would want, at this stage, to rush in when by the end of this month there will be councillors-elect where by Jan. 1 we will be able to have an inaugural meeting down there—and I believe it's scheduled for Jan. 4—to get the committee organized, the regional council organized. Following that organizational process, I'm certain that the councillors-elect then will have as top priority the matter of planning for the region and, indeed, the determination of the appropriate spot for growth to occur.

I listened with considerable interest, but without anything like being in agreement at all, to the hon. member's comments about the salary being paid. I took it, at one point, his suggestion that the salary being paid to the chairman of Haldimand-Norfolk reflected some lesser capacity to carry out a job. I think that that's an unwarranted reflection on his experience and his ability. His leadership is well known, as was mentioned, with his experience as the past warden of the county of Haldimand and his many other achievements. I'm certain he will do an excellent job.

Mr. Cassidy: It reflects the status the parliamentary assistant accords him.

Mr. Meen: I might just point out, too, that establishing a salary for him in no way imposes any kind of limitation, or ceiling, on the indemnities and the salaries that will be paid to other staff members.

Mr. Cassidy: That was a predictable comment.

Mr. Meen: I need only point out to him that in this provincial government—

Mr. Cassidy: Not in theory, but in practice.

Mr. Meen: —time and time again deputy ministers have received indemnities higher than the ministers to whom they report. I could point out to him that in York region, the chairman receives an indemnity substantially less than that of his chief administrative officer. I could point out that, essentially, the same thing applies in the region of Peel, in which the newly hired administrative officer is paid more by a significant amount than the chairman is being paid.

The salary, or the indemnity, being paid to the chairman in no way puts any top limitation; nor, indeed, is to be taken as an indicator of the kind of salaries that they should be paid. We feel that that's a matter strictly up to them. We do think that they will be quite able to get competent personnel to do the planning in that area.

As to planning, returning to that for just a moment, the Nigel Richardson report goes a long way toward helping out in the planning. A lot of basic study and research has been done and went into that report. I don't think that they're going to have a great deal of difficulty in establishing an official plan for their region by the stipulated time. And when they do, then of course, they will be able, as was mentioned, to transfer certain planning responsibilities to the area municipalities.

We deliberately refrained from doing that at this time because of the enormous growth problems. Perhaps, in some ways in an unpredictable way, we felt that it was not appropriate to give any kind of planning authority to an area municipality until the official plan has been established. To this extent this provision is different from what some of us have called the Durham provision, which gives authority from day one to delegate certain responsibilities to the area municipalities. We did not feel that in the case of Haldimand-Norfolk such would be a practical course to follow.

The hon. member for Ottawa Centre also referred to per capita grants, but with respect I might observe that in my opinion he is comparing apples to oranges. It is specious to try to compare a community with a stable number of residents from summer to winter, for example, Haldimand-Norfolk on the one hand, with a community with an enormously variable number of residents from winter to summer, as in Muskoka. One just can't compare per capita costs between regional municipalities like that.

In the case of Haldimand-Norfolk, because of its essentially rural nature, with sparsity grants and the like that will be available, the maximum grants will work out at about $18 per capita. This is significantly higher than the other regions but we think it is merited in the circumstances.

The last point I want to touch on, Mr. Speaker, is that Nigel Richardson did recommend that we review the structure of Haldimand-Norfolk after five years. I think

he was directing his attention to a very obvious circumstance; namely, that there will be growth in that area at an enormous rate in the few years ahead, and it will be incumbent upon any government, whether we have it in the statute or not, to take a look at the structure of any one of our regions, certainly with Haldimand-Norfolk. But it seems inappropriate to us to include that in a statute when in fact it is our practice to constantly monitor growth, representation figures and all the other factors that go into making a more viable and workable region.

Mr. Speaker: The vote is for second reading of Bill 226. Shall the motion carry?

Mr. Cassidy: No.

Mr. Speaker: Those in favour of second reading of Bill 226 will please say "aye."

Those opposed please say "nay."

In my opinion the "ayes" have it.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading? Committee of the whole House?

Agreed.

REGIONAL MUNICIPALITY OF YORK ACT

Mr. Meen, on behalf of Hon. Mr. White, moves second reading of Bill 227, An Act to amend the Regional Municipality of York Act.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Good: Mr. Speaker, this bill follows the pattern of many of the other bills that we debated the other day, except that in this particular bill there has been representation made to members of the Legislature, I believe, as well as to the Treasurer, stating the objections of some of the municipalities in York region to the principle involved here with the abolition of the committees of adjustment and the imposition of a land division committee in the county.

Whether or not the parliamentary assistant has received a copy of the letter from the municipality of Vaughan or not, I don't know, but I would like to paraphrase what they said and quote the later parts of the letter.

The committee feel, Mr. Speaker, that in their opinion there is no need to abolish the present committees of adjustment in the region of York in view of the fact that the number of consents given by these committees have met with the approval of the region in all instances, with the exception of a very few. In other words, there were only seven appeals out of over 200 decisions made in the one area. In the municipality of Richmond Hill, of the 600 applications made for land severances so far this year, there have been no appeals by the region at all.

So the committees undoubtedly feel that they are doing a good job, for the simple reason that most of the severances required are for fill-in operations where you have an extension of houses out away from a municipality—simply a matter of granting severances so that in-filling can go on, which is certainly an acceptable practice in granting of severances if they are confined to in-filling.

In the course of the last five years, 370 applications for consent were heard by the committee of adjustment. Of this number, only 52 were appealed to the Ontario Municipal Board, four of which were successful.

We might point out that seven appeals were withdrawn and six adjourned. We might also point out that the town of Vaughan, as well as the minister, has the right of appeal. There has never been an appeal lodged by the minister against a decision of the committee and only one by the town of Vaughan since 1969.

So it is after what they consider a very successful experience with the committee of adjustment that they sincerely believe they are in a better position in these municipalities to judge the merits of the severances than would be a land division committee operating for the whole of the region.

In their letter they also go on to point out that there would be great confusion and massive amounts of paper work that could result from a decision to transfer consent power to a land division committee, particularly when an application for consent for severance goes to the region and the application for implementing variances or bylaws would still remain with the local municipality.

This particular correspondence asks that sincere consideration be given. Granted, an official plan has not been completed for the region of York, and we know other legislation has indicated where an official plan does not exist for the region as of the date at the end of this year that this power will transfer to the land division committee. But I'm wondering—because of the sincere and earnest opinions of the people in the area; and the

fact, as I understand it, that the commission has had indication from one of the municipalities that this matter has not been discussed with the regional council and they have not been consulted on it; and the fact that Richmond Hill, Markham and Vaughan councils are all opposed to the removal of this right from the local municipality – whether the parliamentary assistant would not consider allowing this to remain with the local municipality in view of the fact that the official plan will probably be forthcoming within the next year.

For these reasons, on behalf of these people in the municipality, we would oppose this amendment.

An hon. member: Good for you.

Mr. Speaker: The member for Ottawa Centre.

Mr. Cassidy: Mr. Speaker, I really can't say much more than what the member for Waterloo North has had to say about the question concerning the committee of adjustment.

I sympathize with the people, though, in the committee of adjustment and with what they have had to say. I raised this when we were discussing the regional municipality of Peel and Halton bill a couple of nights ago and I just want to say a word about it now.

I sympathize with their feelings. I certainly sympathize with the fact that the decision was taken without seeking the views of the people affected; and that's a failing of this government which recurs again and again and again.

I'm not so sure that I really sympathize with their desire to keep the local committee of adjustment, because of the very evident problems of exurban expansion in the area of the town of Vaughan which have been achieved through consents that, I presume, have been granted by that local committee of adjustment. So while I sympathize with them on the fact that they are being struck down or crippled without the chance to appeal or the chance to have their side of the case heard, I suspect that in this particular case, and given the very particular and peculiar problems which exist in an area like the town of Vaughan on the fringes of Metro Toronto, and with very desirable sort of horse farm and stockbroker country and estate country and so on at Metro's doorstep, the pressures may simply be too great for a local committee to bear.

Apart from that, Mr. Speaker, the only other point I would make is one that was made before and that is, I do not see why the regional municipality of York or any of the other regions has to remain subject to the limitation of one-tenth of a mill on grants to associations and other such groups. I find that particularly inconsistent when the amendment is being offered in this particular bill to remove the annual limitation on money that may be expended on diffusing promotional information to attract industry or to attract tourism. I think the government is being inconsistent, and I hope that we'll have an assurance that the next round of regional bills, if not this one, will take away that one-tenth of a mill provision and leave it as a matter for local discretion.

Mr. Speaker: Any other members wish to speak to this? If not the hon. parliamentary assistant.

Mr. Meen: Mr. Speaker, the hon. member for Waterloo North can do a magnificent job sometimes of whistling two tunes almost simultaneously. In this case—

Mr. Good: I told the parliamentary assistant why I opposed this, because the people feel very strongly about it up there.

Mr. Meen: Just last evening or yesterday sometime he was talking, in the case of the Niagara bill, of the fact that over 50 per cent of all the lots on which homes are built have been created laterally by severance rather than on plans of subdivision. The very point of all of this is that when we have the responsibility for planning as a senior-tier responsibility, to then leave land severance as a lower-tier responsibility is an anachronism. What we are seeking to do is bring some order out of this chaos and to get planning in all its essential ingredients back to the senior level where it was placed in the original bill.

This is no rebuke to Vaughan, nor to some of the other municipalities in York. In point of fact, there are certainly some other municipalities in the region who have been granting severances as though they were going out of style. But I sympathize with Vaughan's problem; Vaughan has an official plan; they have had a committee that I think has been attacking the problem with a serious degree of concern and care and integrity, but the difficulty has been that the region is in no way able to supervise the land severances by nine separate bodies. They just couldn't do it, and as our ministry has recently indicated, neither could we. In fact, we are stepping out

of the whole matter of appeals of these severances because we too can't get into this.

It is our feeling that the land severance committee should be a committee appointed by the same body that is responsible for the overall planning of the region and that it should not be fragmented down to the lower-area level. It is no rebuke to some of these municipalities whatever. All the other municipalities have this provision now, with a land severance committee at the senior level, and this bill will create just that.

Mr. Haggerty: That's not going to solve the problem. Give the cities and towns the separate facilities. That's what they want.

Mr. Meen: As a matter of fact I will be asking that this bill go into committee of the whole in order to include an amendment which will direct the creation of the land division committee. Without that sort of amendment we could do it by way of an instruction from the minister pursuant to the Planning Act. That instruction has not yet been issued and it seemed to me to be more straightforward if we incorporated it as an amendment in the bill along with these other amendments in this section.

Mr. Cassidy: What's wrong with the draftsmen when these bills have to go to committee to catch things they missed the first time around?

Mr. Meen: So I do propose to add that amendment when we go into committee. The member for Waterloo North did suggest that we hold this section over until the official plan has been approved. But I say with respect, Mr. Speaker, that that begs the question, because if they've got a problem now it isn't going to go away by establishing an official plan, and if we can solve it now we should not wait until they have their official plan. We'll simply give the responsibility to the regional municipality at this time. We do not feel that there is any merit whatever in waiting until they have established their official plan.

The member for Ottawa Centre raised one point and I did, I think, make it clear the other night that I personally have some misgivings about the merit of the present statutory limitations of one-tenth of a mill on the grants that can be made to associations by municipalities. We are certainly going to look at that. I think it is an inconsistency. If we are going to remove it for industrial promotion, as we have now done in all the regions, then I would think it would be inconsistent to categorically leave in a figure of whatever mill rate, particularly when assessments are different from one region to another and, consequently, a tenth of a mill in one region means a different thing in terms of dollars than the same tenth of a mill rate means in another region. Consequently, we will be looking at that. I am not going to promise that a change will be made. Obviously, he doesn't even expect me to do that, despite the fact that he asked for such an assurance; but I think he may be reassured we are not unmindful of the inconsistency and will certainly be giving that matter serious consideration in the months ahead.

Mr. Speaker: The motion is for second reading of Bill 227. Shall this motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this is to go to committee of the whole House.

Agreed.

Clerk of the House: The third order, House in committee of the whole.

REGIONAL MUNICIPALITY OF NIAGARA ACT

House in committee on Bill 239, An Act to amend the Regional Municipality of Niagara Act.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Carried!

Mr. J. E. Bullbrook (Sarnia): I know now what the provincial secretary's function in life is. It is to carry these things.

Mr. J. R. Breithaupt (Kitchener): A still, small voice in the wilderness.

Mr. Chairman: Shall the bill be reported?

Mr. Breithaupt: Does the parliamentary assistant (Mr. Meen) have an amendment, Mr. Chairman? Perhaps that's why it went to committee in the first place.

Mr. A. K. Meen (York East): I have an amendment to section 3, Mr. Chairman. Are there any other amendments before section 3?

Mr. Chairman: Are there any other amendments before section 3?

On section 3:

Mr. Meen: May I ask if the hon. members opposite have got copies?

Mr. Breithaupt: I have a copy, thank you, Mr. Chairman.

Mr. Meen: Very good. Then they may be able to follow me; this is a rather elaborate amendment.

Mr. Meen moves that subsection (2) of section 92a of the Act, as set out in section 3 of the bill, be struck out and the following inserted in lieu thereof:

(2) On or before Feb. 1, 1974, the regional council shall, without notice from the minister, constitute and appoint a land division committee composed of such persons, not fewer than three in number, as the regional council considers advisable to grant consents referred to in section 29 of the Planning Act.

(3) The land division committee referred to in subsection (2) stands in the place instead of any committee of adjustment established by an area municipality for the purpose of completing the disposition of any application for a consent that may have been pending before any such committee and that is not finally disposed of on or before Jan. 31, 1974.

(4) The land division committee, in considering an application to grant consent, shall seek the opinion of the council of the area municipality in which the land for the application is situated.

Mr. Chairman: Are there any questions regarding this amendment?

Mr. Bullbrook: Yes, I wanted to make a comment in connection with it; if I could have a look at it.

Hon. Mr. Lawrence: Start talking first.

Mr. Bullbrook: That's the normal procedure on the government side.

I am concerned, if I recall listening to the reading—"not fewer than three in number as the regional council considers advisable." Do you really think that three is an appropriate number for that type of burden?

Mr. R. Haggerty (Welland South): Not for that area.

Mr. Bullbrook: In the normal committees of adjustment now for a municipality—

Mr. Haggerty: For that type of area.

Mr. Bullbrook: I beg your pardon?

Mr. Haggerty: About 45 square miles.

Mr. Bullbrook: For about 45 square miles —I didn't realize that. And how many municipalities? I ask my colleague from Welland South.

Mr. Haggerty: Twelve.

Mr. Bullbrook: Twelve municipalities. So these three people would take the place of the normal function of about 60 people; undertaking the responsibility of 12 committees of adjustment.

But I am vitally concerned; and I express myself, Mr. Chairman, to the parliamentary secretary.

I must say I don't think my colleague from Waterloo North (Mr. Good) has significant heart in the position he talked about a moment ago regarding these land division committees. I think we essentially agree with the concept. We did pay service to the concerns expressed by the municipalities in York township. But the fact of the matter is, Mr. Chairman, there is too much power to be wielded by three people. You recognize, with impost charges and other severance fees that are charged in connection with applications that come within their jurisdiction—

Interjection by an hon. member.

Mr. Bullbrook: I just don't think, frankly, that we should have three people involved with that type of decision. I would be inclined to think that off the top of my head you should have at least five people. I take it there would have to be a quorum provision, something along the line of two. I wonder really whether we want to content ourselves as a legislative body with putting in the hands of two people the responsibility to supervise the propriety of divisions in 45 square miles of area—and how many people?

Mr. Haggerty: Over 300,000.

Mr. Bullbrook: Over 300,000 people. I wonder if the assistant would make comment in that connection.

Mr. Meen: I believe the Planning Act requires a minimum of three—and that presumably is where we have taken it from.

I also would find myself in basic agreement with the member for Sarnia that three is too small a number; and I would be astonished if the regional council chose to appoint only three members to that committee.

Mr. Bullbrook: I would, too.

Mr. Meen: In fact, I think they would be derelict in their duty.

Mr. Bullbrook: I would, too.

Mr. Meen: But I think, further, that it should be a decision left to them to make. And if it turns out, from what we—from afar, perhaps—but from what we hear down there that it is working in a way which we wouldn't anticipate, then I think an amendment might be contemplated at that time.

But with respect, Mr. Chairman, I think that for the present time we might be better off to stick with the basic tenor of the Planning Act and its provisions for quorum and the basic constitution of a land division committee; and let's just see how it goes.

Frankly, I have more confidence in the wisdom of the regional council of Niagara than to believe they would settle for a three-man land division committee.

Mr. Haggerty: Have you consulted with them?

Mr. Bullbrook: I must say if I may, Mr. Chairman, I don't want to be involved in that type of defective logic. I am very pleased the assistant takes the position that he does; that he subscribed without reservation to the attitudes and concern that I express.

We happen to be the legislative body involved in this policy. You see, the basic policy is not a question of whether the regional municipality involved will be derelict in its duty in the appointment of the appropriate numbers. Our responsibility is to set forth the policy in this respect.

Now, as I understand it, from the parliamentary assistant—and he can correct me if I am wrong—he agrees that three are too few to wield such power. He agrees that to permit, for example, the establishment of a quorum of two would be ridiculous.

Well then, why don't we just go ahead, notwithstanding the provisions of the Planning Act, which we are going to amend anyway; why don't we just say, "no fewer than five"? Then we have recognized that we've said to the municipality—and we don't in any way chastise them—we recognize that this type of responsibility is too much to put in the hands of two people, nay, three people; we'll put it in the hands of five. You can work out your quorum from there. That is the type of elasticity they are entitled to.

I don't think we are really at odds on this thing. I think we have a meeting of minds on it, and I just suggest there really isn't that great propriety in saying because the Planning Act provides for it now, notwithstanding the fact that we don't agree with the Planning Act, let's amend this statute now.

Mr. Breithaupt: I'd just like to make a further comment on that, Mr. Chairman.

One of the things that we are told, of course, as 270 bills or so are brought before us, is that, especially during this past session, many of these bills have been patching and backfilling as little things have to be dealt with.

I suppose the ministry can take credit for the total number of bills that are passed, but one wonders how many of them are really necessary if these things are thought through at the present time.

As my colleague from Sarnia has said, there will be amendments to the Planning Act, and one would think that in the next session we might have another nine or 10 Acts, each to amend the various regional municipality Acts to patch up one more small problem. We think that problem could be avoided.

I would suggest that my colleague may not even go far enough when he suggests that five is a reasonable number of people. When we look at the population and the area that is being covered, I think that there should be, naturally enough, a person from each of the particular areas within a region who has some local knowledge. Otherwise, if their numbers are few, they may be far too prone to take the advice of planners who may be well-meaning and yet should have a certain amount of temper added to their points of view by persons who are of and in the community.

It could well be that we are looking at seven or nine, or whatever the figure may be. I think that we certainly should do all we can to encourage, if not require, that committees of adjustment be sufficiently broadly based and involved and knowledgeable so that they can do the job, indeed the very heavy job, that we put upon them.

Mr. Meen: May I just respond to that, Mr. Chairman? It seems to me that the hon. member for Sarnia and the hon. member for Kitchener are really illustrating my point. The hon. member for Sarnia says: "I think it should be a minimum of five." The hon. member for Kitchener says: "I don't know. Maybe it should be seven; maybe it should be nine. Who knows?" I say, frankly, I don't know—

Mr. E. R. Good (Waterloo North): All we are discussing is the minimum.

Mr. Meen: I think that is an opinion of the member for Sarnia or of the member for Kitchener, or indeed an opinion I may have. I think the people to make the decision are the ones at the site, the regional council who are responsible for setting up their planning committee and for establishing all their other committees.

Mr. Bullbrook: Most respectfully, if I may just speak for a moment, I like this debate very much; you are a highly reasonable man. May I say to you, with the greatest respect, through the Chairman, you have said before that you recognize three to be too few and a quorum of two to be too few. You have already said that. I don't want to get into mathematics with you. I'm just saying that we agree. You and I agree that three and two are too few. Now you, with your wisdom, tell us how many they should be. That's all I'm saying. Let's just cure it.

Mr. Breithaupt: Let's cure it here and now.

Mr. Meen: All I am saying is that that's my opinion, looking from afar at the Niagara region, with its 300,000 or so people.

Your opinion is that it should be five—

Mr. Bullbrook: No—unequivocally.

Mr. Breithaupt: Minimum.

Mr. Meen: The member for Kitchener says maybe it should be seven or nine—

Mr. Haggerty: Why didn't you consult with them? Then you could put the number in the bill.

Mr. Meen: As a result, I say we are trying to return some autonomy for the regions. For goodness' sakes, if we can't let them determine what size committee they should have for their land division committee, then I am mighty surprised.

Mr. Breithaupt: What if they choose three?

Mr. Meen: Furthermore, just to come back to it, the Planning Act establishes this minimum, it establishes a quorum, and I think unless we are taking a look at the Planning Act, we shouldn't tamper with it and we should at least let the provisions of this be consistent with the Planning Act.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): Mr. Chairman, I have two or three points about this. What I think is happening is that the parliamentary assistant is engaged in a cover-up because of the fact that he doesn't feel he has authority to make any changes in this House when a valid point is made by a member of the opposition or some other member of the House. I think that that in itself is deplorable, because I think that when a case like this arises, the parliamentary assistant piloting a bill through the House should have that kind of authority to make sensible decisions.

We have had two points raised here. We have had the point about whether three is adequate under any circumstances; and the answer of the parliamentary assistant to the Treasurer (Mr. White) is no, that the Niagara regional council would be derelict in its duty to keep to three. "Derelict in its duty"—those were his words. Since I gather that even numbers are not to be permitted, that means the assistant goes to five as a minimum.

We are not talking about whether it should be seven or nine or 11 as the member for Kitchener suggested, we are simply talking about the minimum number which in the opinion of this Legislature would be adequate, given the important responsibilities that will accrue to this new land division committee. If the assistant is willing to come in with an amendment to move this to five, and then the people in Niagara want to have 17, that is up to them. But it is clear that three is inadequate.

The second point, Mr. Chairman, is following: We are dealing here with an animal that is rather different from a committee of adjustment. A land division committee for an area of 300,000 is clearly different from a committee of adjustment, which can be for a community with a population as low as 200 or 300, and range up to a community of half a million, like Toronto or one of its boroughs. Most committees of adjustment are in small communities, and therefore the Planning Act says that they need have only a minimum of three people.

This isn't a small community. There is a regional problem; there is the number of people involved; there is the number of communities involved, and so on. So I plead with the assistant: Show a bit of independence; surprise us;; show us you are not a puppet for the minister and agree to the proposal made by the hon. member for Sarnia.

Mr. Good: Mr. Chairman, on this particular point the parliamentary assistant is indeed right. Section 30 of the Planning Act, when we amended it to set up the land division committee, did in fact say that there shall

be not fewer than three persons. Subclause (3)(a) says that when it is composed of three members, two members constitute a quorum, and where a committee is composed of more than three members, three members constitute a quorum.

We are not discussing the merits of the size of the committee, Mr. Chairman. We are discussing simply the merits of what the minimum number of persons should be on the land division committee.

When we set this up—in 1970, I believe it was, which was three years ago—it seemed like a long way off before the final authority would come in for the minister to say simply: "You do not have an official plan"—which he is permitted to say under this Act as of Dec. 31, 1973—"You do not have an official plan; you shall establish a land division committee." Most of us, including the minister and perhaps the people who wrote this, thought this would be happening in rural counties and in municipalities that did not have an official plan and probably still do not have an official plan.

It may be quite valid in some of the smaller counties of the province where you could operate with only three persons, but I think we must establish, here by legislation, the minimum number.

Mr. Good moves that clause (2) of section 3 as in the amendment be amended by striking out the word "three" in the sixth line and inserting instead the word "five."

Mr. Good: Since the parliamentary assistant has indicated his agreement with having the minimum number of persons established, I am sure that he will agree to the acceptance of this amendment.

Mr. Bullbrook: There is no doubt. It's a reasonable amendment.

Mr. Good: This is an amendment to the amendment that the parliamentary assistant has introduced.

Mr. Meen: Mr. Chairman, I understand the nature of the amendment. Despite the blandishments of the members opposite, I think I have demonstrated adequately over the last 20 months or so that I have authority to accept amendments when they are proper and appropriate—

Mr. Cassidy: Never.

Mr. A. J. Roy (Ottawa East): Never, not once.

Mr. Meen: —and in fact I also have the authority to reject them.

Mr. Cassidy: You only have authority to reject. You are simply a puppet for the Treasurer.

Mr. Chairman: Order, please.

Mr. Meen: I would suggest in this case, though, that we stay with the Act. Let's stay with consistency.

Interjection by an hon. member.

Mr. Meen: Let's see what they turn up with by their own committee.

As I expressed before, it is my personal opinion that for a region of the geographic size and of the numeric size of Niagara, a committee of three would be too small, and I said I would be astonished if they appointed a committee of that size. However, at this point where we are telling them to establish a land division committee, I would rather not tell them it shall be a minimum size other than the minimum size as prescribed by the Act. Therefore, although I am in personal sympathy with the amendment, I must say that I will not accept it.

Mr. Good: Mr. Chairman, before you place the amendment, there is one thing I would like to say. Mr. Chairman, as we must all realize, we are not dealing with the establishment of the land division committee as put forth in the Planning Act. We are dealing with the establishment of the land division committee in the regional municipality of Niagara. Therein lies the necessity to change the minimum limits of the number in that Act, and I think we must recognize that when we seriously consider the amendment after it is placed.

Mr. Bullbrook: That's right.

Mr. Cassidy: You know, Mr. Chairman, the assistant says he was merely uttering a personal opinion and he backs and fills there. But in making a personal opinion—

Mr. Chairman: Order, please. I want to put the amendment to the amendment.

Mr. Cassidy: I beg your pardon? Oh, you wish to place it, okay.

Mr. Good moves that clause (2) of section 3 of the Act be amended by striking out the word "three" in the sixth line and inserting instead the word "five."

Mr. Cassidy: On that amendment to the amendment, Mr. Chairman, I can't understand it when the parliamentary assistant says now that it was his personal opinion, when a few minutes ago he was saying—apparently on behalf of the government, because when you carry a title and responsibility as he does, everybody takes it as being on behalf of the government—and recorded in Hansard are his words saying that if the region of Niagara were to adopt a land division committee with only three people, then legislation would be brought into this House in order to make them see the error of their ways. That was a threat.

Interjections by hon. members.

Mr. Cassidy: Now, if you are willing to threaten them, why aren't you willing to accept the amendment? I think the government should accept this amendment rather than waffling around the way it is right now.

Mr. Bullbrook: I just want, if I may, to say a personal word. We are most appreciative of the personal attitude of the parliamentary assistant.

The fact of the matter is that what we try to do, I think, in this House is to establish broad policy. The essential equation, of course, was hit by my colleague from Waterloo North at the end, in his own incisive fashion, as he always does. He pointed out to you the absolute distinction between the establishment of a county land division committee and the establishment of the regional land division committee that we're entertaining now.

How could you, for one moment for example, equate the county of, let's say, Kent—a great county, well represented at least on one side—but how could you equate, for example, the responsibilities of the land division committee in the county of Kent with its market value, and the responsibilities of the land division committee in the regional municipality of Niagara?

I would suggest, off the top of my head, that the market value assessment in the regional municipality of Niagara Falls would be something in the neighbourhood of 50 to 75 times as much as in the whole county of Kent. And the fact of the matter is, that is all we are attempting to do here. We are just trying to take a realistic approach.

We are saying in effect that as much as we are not the party of vested and property rights, there are things in this Province of Ontario called property rights. We say that you cannot abandon property and people of that magnitude, not to the whim of two people, but we say as a matter of policy that we will, in the future, tell regional municipalities that they can no longer have just three people make those momentous decisions as to people's property rights, and even worse than that, they can't have two people do that under the Planning Act.

And I say it again—

Hon. Mr. Lawrence: I heard it the first time.

Mr. Bullbrook: Well, I say it again.

Hon. Mr. Lawrence: I listened to you the first time.

Mr. Bullbrook: Well, I think it's important, I'll say it again.

Hon. Mr. Lawrence: Come and sit over here and listen.

Mr. Bullbrook: You know, I really must say that I would wish that the Provincial Secretary for Resources Development, since he is really responsible—

Hon. Mr. Lawrence: I listened to you—

Mr. Bullbrook: No, but may I say this to you?

Hon. Mr. Lawrence: I listened to you the first time.

Mr. Bullbrook: No, but may I say this to you? Recognizing that you are in effect the office of policy with respect to land use in the Province of Ontario—

Mr. Roy: No, he's not, he is—

Mr. Bullbrook: —I do invite you to give us the benefit of your thoughts personally, and perhaps your assistance from the point of view of your onerous task in the development of policy in this province with respect to land use. Perhaps when I sit down now after having said it four times—I agree—

Hon. Mr. Lawrence: Right.

Mr. Bullbrook: Oh, you exaggerate. Four times. Perhaps we might have the benefit of the secretary's remarks. We know now that the parliamentary assistant personally agrees with this. His reticence from the point of view of his ministerial obligations, we can't understand or accept. But you guide us now. We look to you for guidance. You have now been in that portfolio for about 24 months, sitting there—

Interjection by an hon. member.

Mr. Bullbrook: —that switchboard to the people of Ontario, your lights turning on and off. Now give us the benefit of your thoughts.

Mr. Roy: Come on.

Interjections by hon. members.

An hon. member: Let's hear that one more time.

Mr. Chairman: The member for Waterloo North.

Mr. Good: Mr. Chairman, before the amendment to the amendment is put, may I ask for a ruling? Should the amendment be carried or defeated, will the vote on that amendment preclude further discussion on subsection 4 of the amendment which the parliamentary assistant introduced to the Act, or could we discuss this further?

Mr. Chairman: In my opinion, if the member's amendment should happen to be defeated, I will put the amendment proposed by the parliamentary assistant.

Mr. Good: And then we can have further discussion on this?

Mr. Chairman: The amendment proposed by the member for Waterloo North is:

> That clause (2) of section 3 of the Act be amended by striking out the word "three" in the sixth line and inserting the word "five."

All those in favour of the amendment please say "aye".

All those opposed, please say "nay."

In my opinion the "nays" have it.

Now I have the amendment proposed by the parliamentary assistant. I think it is in your hands.

Mr. Good: I would like to read aloud subsection (4) of the amendment that is proposed here. It appears on my copy that it was typed in later, or added as an afterthought, and there is a particular policy involved in this that I think we should have a little discussion about.

It says this:

> The land division committee, in considering the application to grant consent, shall seek the opinion of the council of the area municipality in which the land for the application is situated.

It would appear to me that the consideration is asked from the area municipality, the lower-tier municipal government is asked for its viewpoint and opinion on this particular consent.

This is quite a departure from the practice that has been going on in the province in the present land division committee. There is considerable controversy at the present time whether a land division committee should act in complete isolation, free of political pressure from municipal councils, or whether, as this amendment now states, a land division committee should ask the opinion of the municipal council of the area involved—this is not the regional council, but the area council —as to what its opinion is on this matter.

I would presume then, Mr. Chairman, the only reason for demanding that the land division committee ask the opinion of the area council must be that they must take it into consideration when they make their judgement whether to grant or throw out the application for consent.

This being quite a new principle, Mr. Chairman, I would like to hear a little discussion. I think we would like to have a minute or two to consider this, and maybe get the views of the parliamentary assistant as to whether this is new government policy, whether this is going to become policy with all land division committees across the province or whether this is just being given as authority to the land division committee in the Niagara region. I would like to hear from the parliamentary assistant.

Mr. Meen: Mr. Chairman, in both the cases of York and Niagara regions, in the first instance, when they were established they were not required to set up a land division committee. They were given this discretion, discretion which, for whatever reason, neither of those regions saw fit to exercise. It appeared to us that in the transition from area municipal land division committees to a single land division committee at the regional level, there was a great deal of merit in formalizing what we understand has always been conducted in an informal way between the committees at the senior level and the councils and their committees of adjustment at the area level.

What we were doing here, in sub-paragraph (4), is simply spelling out what has been an informal practice, as I understand it, with many of the land division committees at the regional level, and seeking the opinion and advice of the area municipalities concerned.

Mr. Cassidy: Mr. Chairman, I would like to welcome this amendment. It makes sense to me. It is the kind of thing we would like

to see a bit more of in legislation coming forward in the province.

I would like to ask though, specifically, when it says: "The committee shall seek the opinion of the council of the area municipality where the land for the application is situated"; what is meant by the council? Does that mean the elected members of the council, the staff of the council; or does it mean the committee of adjustment at the area municipality level?

Mr. Meen: Council means council. Remember that under this structure there may be a committee of council dealing with other matters of a local nature. It might well be that some body such as that would look into the matter and they would make a report back to their council; and it would be the council which, in the legal sense, would offer the opinion to the land severance committee.

I think it's quite precise to say that they would seek it from the council of the area municipality, not their staff: "We agree or we don't agree"; or: "Yes, we think this is fine, but." Or however they were proposing to offer their advice to the land division committee at the regional level. It would still be by way of information from the council of the area municipality.

Mr. Cassidy: Mr. Chairman, perhaps I could ask the parliamentary assistant how many consents were granted by the dozen or so committees of adjustment in the Niagara region, say last year; or what's the average number of consents in a year that are granted? I'm just concerned in this particular case that if there are a very substantial number of consents that an aim which is desirable may result in the creation of a tremendous amount of paper which is unnecessary.

Mr. Meen: Actually, we don't think a great deal of paper work would be created. We think it may well be simplified by bringing it all into one committee from X number of other committees.

I regret to say that I just have no information as to the numbers of consents that have been granted. I have no idea how many applications were made. All I can tell the member is that statistically something in excess of 50 per cent of all building lots have been created by land severances within these areas.

Mr. Cassidy: Mr. Chairman, I'm thinking of the fact that quite rightly local councils don't deal with every building permit and every application for renovations permit and so forth.

Mr. Haggerty: They certainly do.

Mr. Cassidy: Well, maybe they do down in that area. At least in theory, the local councils are basically policy-making bodies and not administrative bodies.

All I'm saying here is that presumably the local councils in the Niagara region will have committees; the administrative work that they do will be handled by committees. Will they be able to funnel this through the committee without having to give all of the documentation and information to their council, or are they bound to put it all before the council and have a vote in every one according to the provisions of this particular bill?

Mr. Meen: I think that what I've already said I might simply repeat, Mr. Chairman. The corporation of an area municipality speaks through its council. They pass a resolution by council or they act by bylaw. I would suggest that the information would come back via the council, the route being through its committee by a report back to its council, and that's all. I don't think that would necessarily increase paperwork. Indeed, it would appear to us that in the overall picture it would reduce it.

Mr. Cassidy: I agree, yes.

Mr. Good: Mr. Chairman, there are two points that I would like to ask about. First of all, I would ask whether the parliamentary assistant considers that this would become legislation for all land division committees or is this just being kept to York and Niagara? Secondly, this would now mean that regional councils will have to consider each application that comes to the land division committee some time prior to the hearing, so that the land division committee can get the opinion. It says here, "They shall seek the opinion of the council of the area municipality in which the land for the application is situated."

I would presume that the council would give its opinion as the severance related to the planning concepts of the area municipality. The council is, in fact, going to have to consent or oppose that application right at the beginning before that hearing is even held. I'm wondering now, first of all, about the delay that could be involved in the area municipality having to make a decision on each application that goes before the land division committee, whether the council opinion might prejudge the land division committee in some manner. I suppose this would depend on the strength of the land division committee as opposed to the strength

of the council opinion. I see it is mandatory that they seek that opinion and I wonder about the delay involved and whether this is going to be general.

I think this will answer some of the questions that are resulting in my own area where the land division committee has been accused of dealing in a manner contrary to the planning concepts that existed previously in these municipalities.

Mr. Meen: Mr. Chairman, we don't think it would impose a significant delay because we believe that a land division committee which is really doing its work is going to seek the opinion of the local area municipality anyway. What we want to do is reassure those area municipalities, particularly ones which have had active committees of adjustment and which have been doing a great deal of this work themselves, that suddenly things aren't going to go haywire in 75 different directions the first time that a land division committee of the region gets to work in dealing with their areas. This, we feel, reduces to statute lines of communication which we feel should exist and we want to make sure that they will exist; that the area municipalities will be apprised of what the land division committee is doing and will have an opportunity for input to it at the time when the hearing is held.

Mr. Haggerty: What about its application in other areas?

Mr. Meen: I don't like to prejudge this in other areas. I would be interested in information in the next while from people such as the hon. member for Waterloo North as to how the land division committee in Waterloo is working and the extent to which it is communicating with its area municipalities in this kind of thing. If it appeared to be desirable to incorporate that kind of provision there, I think the government would look very seriously at this. At the moment we are not talking about this in the sense of general legislation; it is almost the private bill kind of philosophy which all of us on that committee have seen through the years. We try something and if it appears to work and to fill a need it may very well show up at a later time in general legislation.

Mr. Good: I think there is merit in it and it looks to me—

Mr. Bullbrook: I want to express that also, if I may. Frankly, we on this side have not expressed displeasure, absolute displeasure, with this. I am inclined again, to personalize, to think that the input of the local municipality would be a very rewarding adventure on the part of the land division committee.

What concerns me is this—and I exaggerate for the sake of clarity and maybe you can help me out: The subsection makes it mandatory upon the land division committee to seek out the opinion of the council. It doesn't make it mandatory on the part of the council to give the opinion.

Mr. Meen: That's right.

Mr. Bullbrook: I am very concerned about that. I am very concerned about what the land division committee does in the absence of any direction in the statute with respect to that.

I have one more question. I am very concerned about the time frame—very much so—especially in rural municipalities. If I recall correctly the statutory obligation of advice on a severance is 10 days, I think, for the interested parties. Maybe you could help me there? Am I correct in my recollection of the statute? It is 10 days, isn't it? What is it?

Mr. Meen: I am sorry, I don't know.

Mr. Good: Is it 30 days?

Mr. Bullbrook: No, it is not 30 days. Notice of public hearing? Is it 30 days?

Mr. Good: It is in our area.

Mr. Bullbrook: In any event, may I say to you I am concerned about the time frame and the delay. I think someone else has expressed this. You recognize, of course, that some municipalities which consider themselves rather sophisticated do miss meetings during the summer months and could go well beyond the 30-day period before they could come to grips with it.

An additional problem is that the municipality itself, the council, is going to want some input from the administration and from the people with respect to coming to a conclusion. I can see, without exaggeration—maybe with exaggeration for the sake of clarification – literally up to 90 days to get an opinion from a local municipality with respect to this. That is the vital concern. It is the question of the grinding out of commerce.

When you have people who are faced with problems which can only be rectified with dispatch—and that's the very essence of what committees of adjustment were all about, to undertake these things with greater dispatch —I can see that this is really a superimposition of an obligation not from the point of

view of paperwork but from the point of view of time, and that you are going to have to look at it twice.

Mr. Good: One thing further, Mr. Chairman, and I would like a comment from the parliamentary assistant on this. As I understand it there is no obligation presently in the Planning Act for a land division committee even to give notice to peaple in the areas surrounding the parcel of land on which a consent is being asked for. In my area they do give notice but as I understand it there is no requirement in the legislation that notice even be given to the persons whose property is affected by such consent. While we are discussing this land division committee, I am wondering if that is correct and, if it is, if the parliamentary assistant doesn't think that something should be done to amend our present legislation regarding land division committees.

Mr. Meen: Mr. Chairman, that's not exactly germane to this subject. I must confess also to not knowing for certain whether there is such a requirement. I think I have always assumed there was, because any with which I have had any dealings have sent notices off in all directions. I would have thought that there was such a statutory requirement but we are not dealing right now with the Planning Act. That may come later on in the next day or so.

In any event at this stage, Mr. Chairman, I want to direct my comments to those questions raised by the member for Sarnia. He talks of the time frame and the question of the absence of advice. He'll have noticed that the wording does not say they shall obtain the advice, but "they shall seek." We recognize that there might well be instances where a municipality might want to defeat an action or might be reluctant to take any steps and come out and say, "Yes, we think that's all right," or, "No, we don't," and, if so, why. They might just say nothing about it whatever, thereby defeating the role of the land division committee, a very important role in the regional government structure. Consequently, we have simply said they must seek it. If the area municipality should seek to defeat the action by simply refraining from taking any steps towards providing the information, then the land division committee would be quite free under this section to proceed without anything further.

As to the time frame, here again whether it's 10 days or whether it's 30 days, I think has to be left up to the bona fide of the committee and within the terms that I would think normally apply to the notice of an application. I'm sure that the notice at the time that they would ordinarily have would exceed the normal time required for a municipality, whether it be a really sophisticated one or otherwise, to get together the necessary information and get it back to the land division committee.

Mr. Chairman: Shall the amendment moved by the parliamentary assistant carry?

Motion agreed to.

Mr. Bullbrook: This is getting too clubby.

Mr. Chairman: Are there any comments, questions or amendments to any other section of the bill? If not shall the bill be reported?

Bill 239, as amended, reported.

REGIONAL MUNICIPALITY OF YORK ACT

House in committee on Bill 227, An Act to amend the Regional Municipality of York Act.

Mr. Meen: Mr. Chairman, I have an amendment to section 4 which I guess is identical really to the amendment we've just been discussing, but in terms of formality I should read it, unless there are amendments proposed to any other section up to section 4.

Mr. Meen moves that section 90(a) of the Act as set out in section 4 of the bill be amended by adding thereto the following subsections:

(2) On or before, Feb. 1, 1974, the regional council shall without notice from the minister constitute and appoint a land division committee composed of such persons, not fewer than three in number, as the regional council considers advisable to grant consents referred to in section 29 of the Planning Act.

(3) The land division committee referred to in subsection (2) stands in the place and stead of any committee of adjustment established by an area municipality for the purpose of completing the disposition of any application for consent that may have been pending before any such committee and that is not finally disposed of on or before Jan. 31, 1974.

(4) The land division committee in considering an application to grant consent shall seek the opinion of the council of the area municipality in which the land for the application is situate.

Mr. Chairman: Are there any comments on this amendment?

Mr. Cassidy: Mr. Chairman, we've spent about 20 minutes or so on these two bills so far with identical amendments, amendments which presumably will now be extended to two or three of the other bills as well. I don't propose to debate the amendment; we agree with the amendment. But it bothers me at a time when the government is apparently trying to wind up this session that it should itself waste or take up the time of this House with amendments that there is no excuse not having included in the original legislation.

I wonder if the parliamentary assistant can explain to me why it is that the gigantic hopper, this legislative machine which is run in the Treasurer's department to produce municipal legislation, why it is that they have to catch up with themselves the last minute by introducing amendments at the committee stage, when they could and should have been introduced just a week or so ago when this series of bills came into the House.

Mr. Breithaupt: Mr. Chairman, I will make just a brief comment on this bill. The parliamentary assistant has heard on the previous bill the comments of the member for Waterloo North and the member for Sarnia, especially with respect to the idea of continuing the minimum requirements as set out here within the Planning Act. I don't think it is necessary to repeat our comments at that point, other than to reinforce the eighth or ninth time that the Provincial Secretary for Resources Development has heard the matter and that is to say that we think that if a minimum is to be set, it is practical to set a realistic minimum. It is perhaps not entirely sufficient to comment that the committees are always set up with additional members, because the exception could come up which might be of grave embarrassment. We would hope this matter can be reviewed and that a more practical minimum will be set in future bills.

Mr. Chairman: Does this amendment carry?

Mr. Cassidy: I believe the parliamentary assistant wanted to make a comment, Mr. Chairman.

Mr. Meen: Yes, the hon. member for Ottawa Centre did ask one question which I think one might try to answer.

It is difficult when putting together groups of amendments to pick all these things up. This last one came about as a result of a discussion held by the ministry with the chairmen of a number of the regions; this problem was discussed. It was an open meeting at which in fact I expect even the hon. member would have been welcome if he had wished to come.

This was a subject that came up, was discussed, and it was felt that these anachronisms that existed in the regions of York and Niagara should be clarified at this time. So we have set about fixing up these two bills, along with the other amendments that were in course of processing through the House.

Mr. Cassidy: Mr. Chairman, the meeting with the regional chairmen was held I believe in Muskoka about five weeks ago. The bills were tabled in the House in mimeograph form about two weeks ago. Why is it that during that period of three weeks these particular amendments, which were relatively simple to draft, could not have been included and put in at that time into the original bill as presented, rather than as an amendment at the committee stage?

We suffer again and again through the delays in legislation and even when it comes in at a late date it is badly done, and I'm worried about that.

Mr. Chairman: Shall the amendment moved by the member for York East carry?

Motion agreed to.

Mr. Chairman: Any further comments, questions or amendments?

Mr. Meen: I'll make it very brief; time is getting on. But it happens that the meeting to which I made reference was held, I think, on Monday, Nov. 5. This bill as then drafted was introduced on Nov. 15, but it just happened that that particular clause had not been worked up. In fact, we have been working on it in consultation with a number of people in the weeks that have followed.

It is not a matter of this one just suddenly getting germinated, to use the old expression; it has been in the works and we have been processing it along, but it did not get in in time to be included with the bill.

Mr. Chairman: Any further comments, questions, or amendments on a later section of the bill? If not, shall be the bill as amended be reported?

Bill 227, as amended, reported.

REGIONAL MUNICIPALITY OF PEEL ACT

House in committee on Bill 245, An Act to amend the Regional Municipality of Peel Act, 1973.

Mr. Chairman: Any comment on the first section? If not the parliamentary assistant has an amendment to—

Mr. Meen: Section 4.

Mr. Chairman: Anything before section 4? All right, the hon. parliamentary assistant.

Mr. Meen moves that section 4 of the bill be struck out and the following inserted in lieu thereof:

4(1) Clause A of subsection 3 of section 73 of the Act is amended by adding at the end thereof "on and after Jan. 1, 1974, in respect of service after such date."

(2) That said section 73 is amended by adding thereto the following subsection 3(a):

Notwithstanding clause A of subsection 3, those members of the Peel regional police force who participated in the supplementary pension plan on or before Dec. 31, 1973, shall continue to participate in such plan and in respect of those members who did not participate in the supplementary pension plan, the bargaining committee established under subsection 5 and its successors shall be entitled to negotiate with the Peel police board in respect of the payment by the board of contributions into the supplementary pension plan relating to past service of such members.

Mr. Chairman: Shall this motion carry?

Motion agreed to.

Section 4 agreed to.

Mr. Chairman: Is there anything before section 8? The hon. parliamentary assistant.

On section 8:

Mr. Meen moves the bill be amended by adding thereto the following section:

(8) Section 143 of the said Act is amended by inserting after "Mississauga" in the first line, "and the council of the city of Brampton" and that sections 8 and 9 of the bill be renumbered as sections 9 and 10 respectively.

Mr. Chairman: Shall this motion carry? The member for Ottawa Centre.

Mr. Cassidy: I understand that the previous amendment was in order to permit bargaining about supplementary benefits for those policemen who were not covered under their own municipalities before the formation of the region of Peel. In this particular case, can the assistant explain the significance of the new amendment to section 8?

Mr. Meen: Yes, Mr. Chairman, there's no board of police commissioners in the local municipalities as we presently establish them. We have a regional police force but some bylaws—and I am not in a position to tell the members what kind of bylaws these would be, but they might be of a very minor nature—need to be passed by the local municipalities. They would ordinarily be passed by that board and it is not appropriate to a regional police force that they be passed.

We have had to add "and the council of the city of Brampton" because in the original bill Brampton had been designated as a town. Under the bill as passed, at their request they were redesignated as a city and therefore we had to amend this to include the reference to Brampton as well as Mississauga in the section dealing with the passage of minor bylaws.

Mr. Cassidy: But you won't reveal the nature of the bylaws? You are concealing that from the House, is that right?

Mr. Meen: They are set out in the Municipal Act if the hon. member wants to look at them. I don't happen to have my copy here tonight.

Mr. Chairman: Shall this motion carry?

Motion agreed to.

Section 8 agreed to.

Mr. Chairman: Are there any further comments, questions or amendments to a later section of the bill? If not, shall the bill as amended be reported?

Bill 245, as amended, reported.

REGIONAL MUNICIPALITY OF HALTON ACT

House in committee on Bill 247, An Act to amend the Regional Municipality of Halton Act, 1973.

Mr. Chairman: Is there anything in the first five sections for consideration, discussion or amendment? If not, the parliamentary assistant.

Mr. Meen moves that section 6 of the bill be struck out and the following inserted in lieu thereof:

6(1) clause A of subsection (3) of section 73 of the said Act is amended by adding at the end thereof "on and after Jan. 1, 1974, in respect of service after such date."

(2) subsection 73 is amended by adding thereto the following subsection 3(a): Notwithstanding clause A of subsection 3, those members of the Halton regional police force who participated in a supplementary pension plan on or before Dec. 31, 1973, shall continue to participate in such plan and in respect of those members who did not participate in the supplementary pension plan, the bargaining committee established under subsection (5) and its successor shall be entitled to negotiate with the Halton police board in respect of the payment by the board of contributions into the supplementary pension plan relating to past service of such members.

Mr. Chairman: Shall this motion carry?

Section 6 agreed to.

Mr. Chairman: Are there any further comments, questions or amendments on a later section of the bill? If not, shall the bill as amended be reported?

Bill 247, as amended, reported.

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ACT

House in committee on Bill 253, An Act to amend the Regional Municipality of Hamilton-Wentworth Act, 1973.

Mr. Chairman: Are there any comments, questions, or amendments on the first four sections of the bill? If not, the hon. member on section 5.

Mr. Meen moves that subsection (2) of section 5 of the bill be struck out and the following inserted in lieu thereof:

(2) Clause A of subsection (3) of section 73 of the said Act is amended by adding at the end thereof "on and after Jan. 1, 1974, in respect of service after such date."

(3) Notwithstanding clause A of subsection (3), those members of the Hamilton-Wentworth regional police force who participated in the supplementary pension plan on or before Dec. 31, 1973, shall continue to participate in such plan; and in respect of those members who did not participate in the supplementary pension plan, the bargaining committee established under subsection (6) and its successor shall be entitled to negotiate with the Hamilton-Wentworth police force in respect of the payment by the board of contributions into the supplementary pension plan relating to past service of such members, and that subsection (3) of the said section 5 be renumbered as subsection (4).

Mr. Chairman: Shall this motion carry?

Motion agreed to.

Mr. Chairman: The hon. member on a further amendment.

Mr. Meen moves that section 73 of the Act as set out in subsection (4), as renumbered, of section 5 of the bill, be amended by inserting after numeral "6" in the 11th line thereof "and its successor."

Mr. Chairman: Shall this motion carry?

Motion agreed to.

Mr. Chairman: Any further comments, questions or amendments on a later section of the bill?

Mr. Cassidy: Mr. Chairman, I was scrambling to find a copy of the bill at the time you were at that. I wonder if I could go back to section 3, please, with the consent of the House?

Mr. Chairman: Yes.

Mr. Cassidy: Thank you. I would like to ask the assistant, on section 3, whether the requirement of consultations in the land division committee and the council of an area municipality is already—

Mr. Chairman: Order, please.

Mr. Meen: Which one are we on?

Mr. Chairman: I gave him permission—

Mr. Meen: I am sorry. I don't understand the member.

Mr. Chairman: Order, please. I gave him permission to discuss section 3 because I hurried over it.

Mr. Cassidy: I am sorry. The Chairman gave me permission to go back to section 3. We have been running through these bills pretty quickly—

Mr. Meen: Oh, okay.

Mr. Cassidy: In section 3, which amends section 55 of the Act, is it the intention of the ministry to bring in an amendment similar to the amendment in the Niagara and the York

Acts, to provide for consultation between the land division committee, which is handling consent, and the councils of the area municipalities? Or is that provided for? I don't recall it in the original Act last spring.

Mr. Meen: No, Mr. Chairman, it is not provided for in the Act, nor in this amendment. This is one of those things, as I was saying earlier, that we would look at and see how they work. Implicitly, I think, there is the belief that there is this consultation. We would expect that it would take place. This section simply provides for the transition of functions from a committee of adjustment over to the new land division committee. But in this bill, we have not added the suggested clause as to require consultation.

Mr. Cassidy: But you are not against it and you may be in future. Is that correct?

Mr. Meen: Well, as we have worked out in York and in Niagara, the principle of consultation is a practical one, we think. We have suggested it in those two because there is a fairly dramatic change in the structure of land division committees—the creation of one by statute for the first time in those two regions, and the wind-up of certain functions at the area level. That is already provided for in the earlier legislation dealing with the new region established this year, and at this point we have not decided—in fact, we have not had time to consult with the people concerned to determine whether it is thought by them to be necessary or desirable. It is one of those things which, in the course of the next year or two, we will have an opportunity to explore with the various regions.

Mr. Cassidy: Thank you.

Mr. Chairman: Any further comments, questions or amendments?

Bill 253, as amended, reported.

REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK ACT

House in committee on Bill 266, An Act to amend the Regional Municipality of Haldimand-Norfolk Act, 1973.

Mr. Chairman: Any comments, questions or amendments on the first three sections?

Mr. Meen: Mr. Chairman, it might assist the hon. members if we were just to explain to them that the bill itself is in just a few sections. However, when you get to page 6 of the bill you will find part 3, section 4, for example, has a multitude of subsections bearing numbers which will follow consecutively with the numbers of the first bill passed creating the region of Haldimand-Norfolk.

It might be helpful, since I believe all of the amendments that I would be proposing in this bill are under section 4 of this bill—let me just check and make sure. Yes, all my amendments are within section 4.

Mr. Chairman, if you wish to deal with this bill under section 4 by the various parts through it, in that case the first one for which I would wish to propose an amendment is with respect to section 75, to be found on page 24 of the bill.

Mr. Chairman: Is that satisfactory? If the member would place the amendment for that stage, then.

Mr. Cassidy: I have a few questions. I guess I will work on the basis of pages. In subsection (5) on the bottom of page 4, I guess my only question on that—I had it marked in the bill—was simply the same old matter of the protection of job security for people. You give the area municipality three months to get rid of people whom they don't happen to want. I don't believe the workers in Haldimand-Norfolk would generally benefit from protection of trade unions, as those in larger municipalities would tend to.

Now, can you not do it better than to say to the local municipalities, "You have three months to get rid of this guy if you don't want to keep him on under the new regional structure"?

Mr. Meen: I don't think there is any difference in this. I may be missing the point being made by the hon. member, but I don't think there is really much difference in this Act from any of our other bills in which we had a commencement date of Oct. 15. I think that has been the date in our current series of regional bills, in which from and after that date the region has been created, and then for all purposes it comes into effect on Jan. 1. In this instance it is created from and after the first day of January; but for all purposes area-wise and otherwise it is to come into effect on April 1. One is 2½ months, and in this case it is three months. I don't think it is a significant difference in the time.

Mr. Cassidy: Well, there is no difference; but we have objected on a number of previous occasions about just this provision in the bill. If the effective date were, to take an example, the first of December and any per-

son who had been employed from the first of July to the first of December were guaranteed a continuation of employment, should they want it, then that would be a reasonable kind of provision for security of employment. But this is not, because it leaves that loophole open. We simply object to the continuation of that loophole being left open. I would hope that no municipality is going to abuse it. But all the same, I don't think that you should deliberately leave loopholes like that in the Act.

Mr. Meen: We are getting back to principle again—but I don't think we want to compel them. On the other hand, we know of no instance—at least, I personally know of no instances, and my staff advises me that we know of no instances—where this has occurred; where there has been a wilful dismissal of some employees for some purpose. We do guarantee them security of tenure for a period of time following the creation of the new region on April 1, to give them a chance to be worked into the new system. It is, as the hon. member has already indicated, precisely the practice we have followed in all the other regions; and I know of no case in which it has been abused.

Mr. Chairman: Anything further before page 24?

Mr. Cassidy: Subsection (3) of section 29 refers to the transfer of highways under the ministry to the regional road system. And presumably when you transfer the highways you also transfer financial responsibilities and—

Mr. Meen: Could the member clarify for me what he is referring to? Page 6, I thought I heard him say.

Mr. Cassidy: Page 6.

Mr. Meen: That is subsection (3) of 30, then.

Mr. Cassidy: I'm sorry, subsection (3) of 30. I beg your pardon. I would like to know what financial arrangements are being made, and is it the intention of the ministry that any substantial number of provincial highways will be transferred into the control of the regional municipality after its creation?

Mr. Meen: This section is imported out of our general legislation. It can be done with any municipality, and it is a general policy within the Ministry of Transportation and Communications as to the arrangements they make for a road to be taken over by a municipality, if it should turn out that it is carrying essentially local traffic and is no longer part of the provincial road system. They should determine whether it should be turned over, as they did in Muskoka and as is done not at all infrequently. They bring the road up to a minimum standard acceptable to the area municipality or the region, as the case may be, and then simply turn it over to them.

Mr. Cassidy: No, but the point I am making is about financial arrangements, because this is still essentially a rural municipality, the region of Haldimand-Norfolk; the largest town is about 10,000 or 12,000 people at Simcoe. Their major roads, their trunk roads now are almost exclusively provincial highways.

If there is to be this kind of transfer, it means a lot more in financial terms for the people of Haldimand-Norfolk than, say, the transfer of one or two provincial highways into the control of the region of Ottawa-Carleton or the region of Metro Toronto or the region of Waterloo, where the proportion of urban population to rural population is much higher, and where there isn't nearly so much rural area to cover.

Mr. Meen: Let me just suggest this to the member. This is not within the Ministry of Treasury and Economics. This is a matter for the Ministry of Transportation and Communications. So far as we are aware—at least, so far as I personally am aware, and I don't think there is any information of that sort coming through from the ministry at the present time—but so far as we are aware there is no intention to turn over any road or network of roads to the area municipalities or to the region. But if this were the case, if the member has this kind of question I think he might ask it of the Minister of Transportation and Communications (Mr. Carton) at the next opportunity.

Mr. Cassidy: I will let the matter drop, Mr. Chairman, except it is a financial matter that affects the municipality. That is the way I am looking at it.

Mr. Meen: Yes, indeed it is. If they assume a road, then they have the cost of maintenance of that road; and, of course, from a regional standpoint there is policing, if it happens to be within the jurisdiction of one of the areas in Haldimand-Norfolk which would be subject to policing by them. If that be so, then it would be within the general purview, in one sense or another, of the grant structure available through the Ministry of Transportation and Communications, not

through the Ministry of Treasury and Economics.

Mr. Chairman: Anything further?

Mr. Cassidy: Subsection (5) of the same paragraph of the same clause says, Mr. Chairman: "The Lieutenant Governor in Council may remove any road from the regional road system." I don't recall something comparable to that in other regional legislation. I would like to know what is the significance or meaning of including that particular clause in the bill?

Mr. Meen: I am advised it is a standard clause. I hadn't noticed that it was any different.

Mr. Chairman: Anything before page 24, then?

Mr. Cassidy: Page 16, Mr. Chairman.

Mr. Chairman: Page 16. All right.

Mr. Cassidy: I have two or three questions about this, and they really arise because of the rather ambiguous comments made by the parliamentary assistant during the debate on second reading of this bill. "It wouldn't surprise me," he said, "if the Planning and Development Act were to be applied." Can we have a clear answer? Will the Planning and Development Act be applied, and if so, when?

Mr. Meen: There is no clear answer available at this time. I am advised that this is one section where the ministry is considering the application of the Planning and Development Act. If it is under consideration, obviously I can't say when.

Mr. Cassidy: Don't the people in the area deserve an answer to this? There is an election coming up; they have got heavy responsibilities; they don't know how much planning staff they should hire, and so on. Don't they deserve an answer, rather than the delays and the obfuscations they have been getting from the ministry for these many months?

Mr. Chairman: Anything before page 24?

Mr. Cassidy: On page 17, section 55(4) says that:

> The regional corporation . . . may enter into agreements with any governmental authority or any agency thereof created by statute for the carrying out of studies relating to the Haldimand-Norfolk planning area or any part thereof.

Does that mean it is the government's intention that the region should farm out its planning work to the Haldimand-Norfolk study group, or was there some other intention in mind when that particular clause was included in this Act?

Mr. Meen: Well, I wonder if the hon. member has read the Ottawa-Carleton legislation lately, because that section has been in every one of our regional Acts, including Ottawa-Carleton.

Mr. Cassidy: I read them every night before I go to bed.

Mr. Meen: Great. It sounds like it.

Mr. Chairman: Anything further before section 24?

Mr. Cassidy: It's a sure way of going to sleep.

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): He sure keeps you on your toes.

Mr. Cassidy: Mr. Chairman, on page 22. I have two questions relating to the police. One is what type of person does the Lieutenant Governor in Council intend to appoint as police commissioners? Will they be judges, will they be people in the legal professions or will they be "citizens," that is non-legal people?

Mr. Meen: I think the best answer to that, Mr. Chairman, would be for the hon. member to take a look at the qualifications of the members appointed to the other police boards.

Mr. Cassidy: Well, rather than give such an ambiguous answer, can you tell me what you mean? Or are you just suggesting you don't know and are trying to dodge the question?

Mr. Meen: I am suggesting that this is broad discretion within the purview of the Lieutenant Governor in Council, and it is most certainly not for me to decide.

Mr. M. C. Germa (Sudbury): Are they all Tories?

Mr. Cassidy: Well, according to the explanation given by the parliamentary assistant, the grants will be paid on behalf of all the 83,000 people in the regional municipality as regards police, although the regional police force will have responsibility for policing only about one-third or one-half of that popula-

tion; as I recall, about 35 per cent of the population is urban at this particular time.

Does that mean that there is no financial incentive to extend policing to the rest of the region? If that is the case, is it the government's intention to leave the OPP in there indefinitely, or at some point to simply cut the cord and compel the region to take over policing of the rural areas with no additional compensation in grants?

Mr. Meen: One of the difficulties, of course, in some of the other regions—and I believe this was alluded to by the hon. member for Waterloo North—is the significant increase in policing costs when the regional police force has to take over the entire burden of policing a sometimes rather rural area. It seemed to us that this was perhaps a reasonable compromise, having regard to the extremely rural nature of Haldimand-Norfolk, compared with all the other regions.

As to incentive, I would suppose there is a disincentive as things presently stand toward the regional police force ever extending its services out into any area presently serviced by the OPP. However, we believe that as municipalities grow—let's take, for example, the town of Simcoe, if it wants to extend its growth easterly or southerly and needs additional police protection—there is going to be sufficient local pressure from among the people in those areas not serviced at the same level as they presently receive their servicing through the regional police, that the service will be extended.

Mr. Chairman: Anything before 24? The parliamentary assistant.

May I just clarify one thing? We should normally be rising at this time. Is it the wish of the committee to take a few minutes longer and finish this?

An hon. member: Yes.

Mr. I. Deans (Wentworth): No, we want to rise.

Mr. Cassidy: It was agreed we would finish at 10:30, Mr. Chairman.

Interjections by hon. members.

Mr. Chairman: There seems to be a difference of opinion.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): I am willing to sit all night.

Interjections by hon. members.

Mr. Chairman: Order, please.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report five bills with certain amendments, and progress on a sixth, and asks for leave to sit again.

Report agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, tomorrow it will be apparent that the order paper will be reduced to the point where I think we can call any item on the order paper. All bills will be printed; and I will say that without exception. Even the two which were introduced this morning will be printed—and which I will not call tomorrow. All the others will stand to be called. In the course of the afternoon, I shall call supplementary estimates.

Mr. E. R. Good (Waterloo North): He is in trouble if he moves the Planning Act tomorrow.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:35 o'clock, p.m.

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Thursday, December 6, 1973

Morning Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 6, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

Oral questions. The hon. Leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): That is very kind, Mr. Speaker.

Mr. D. M. Deacon (York Centre): Why doesn't the Leader of the Opposition ask the member for Scarborough Centre (Mr. Drea)?

ASSISTANCE TO PUBLISHING INDUSTRY

Mr. R. F. Nixon: There is a question I guess I would put to the Chairman of the Management Board of Cabinet, in the absence of almost all his colleagues. He may be able to give an answer because it concerns a programme that is fairly new and involves additional expenditure which must have come before his board. I refer to what the Premier (Mr. Davis) has chosen to call the implementation of the recommendations of the book publishing report, a matter that has been brought to the attention of all members in the last few days.

Is the minister aware that the fund that is to be established and called a learning development fund in the amount of about $750,000 in total is not going to be utilized through a decision of the Canadian Book Publishing Council in Ontario until such time as a move is taken to establish a reasonable book budget for the schools? In view of that decision which has been publicly taken and I presume communicated to either the minister or his colleagues, what disposition is going to be made of that fund? Will it simply sit there as a means whereby the government can say, "Well, we've done what we can and we will do no more," or is it possible that the fund will be redirected in some way?

Hon. E. A. Winkler (Chairman, Manpower Board of Cabinet): Mr. Speaker, I have to tell the hon. member that I don't have any knowledge of the issue he raises. Policy is handled through, I believe, the Minister of Industry and Tourism (Mr. Bennett).

Mr. A. J. Roy (Ottawa East): Don't apologize.

Mr. R. F. Nixon: And he is the one who is in Las Vegas.

Hon. Mr. Winkler: I don't know where he is. But inasmuch as those expenditures are cleared before my board through the ministry in its estimates and not specifically, I can't answer directly the question that the Leader of the Opposition raises.

Mr. R. F. Nixon: Mr. Speaker, if you will permit a supplementary, it seems to me that, in the absence of the ministers who have responsibility in this regard, he might take the question as notice so that he can give us further information.

Is he aware that the book publishing report, the royal commission report, specifically said that the commissioners did not consider that the Ontario Arts Council could be a viable agency to deal with the problems of the publishing industry? That's practically a direct quote from the report, and yet the government has seen fit to establish one of these funds, the smaller one of about $500,000, directly under the aegis of the Ontario Arts Council, which seems to fly in the face of the direct recommendation of the royal commission.

If the minister will permit a second question along the same line, since he may be asking for further information, the other recommendation, which is associated with the Premier's remarks a few days ago, is that none of the recommendations that the royal commission made are considered more important that the one that said there must be a book stimulation grant at the school level. Yet the Premier has said that he has implemented the basic recommendations.

Can the Chairman of the Management Board find out for me and those interested in the community why the Premier would say that the basic recommendations had been implemented, when the one that the royal commissioners consider basic to their recom-

mendations, specifically from page 217 of the report, has simply been ignored? Surely the Premier has read the report. Would the Chairman of the Management Board get the information?

Hon. Mr. Winkler: I'm sure what the hon. member has said is correct and I will certainly take the matter as notice and refer it to the Premier and have that answered for him.

Mr. Roy: We feel a lot better now.

Hon. Mr. Winkler: I'm sure the member does.

Mr. Roy: Why doesn't the member for Brant (Mr. R. F. Nixon) ask me a question?

Mr. R. F. Nixon: Mr. Speaker, I will pass until a few of the other ministers are here.

ABSENCE OF MINISTERS

Mr. S. Lewis (Scarborough West): I have a question of the House leader. If he is going to insist that the House sit at 10 in the morning, doesn't he think he might rally some of his chums to the cause—

Mr. D. C. MacDonald (York South): Fair enough.

Mr. Lewis: —and not participate in this disgraceful absence on the part of the cabinet? The House leader assembles the House at 10 a.m. and then the Premier and the great majority of his ministers aren't even here to answer questions. Now why was this necessary?

Interjections by hon. members.

Mr. MacDonald: This is the orderly conduct of the business, you know.

Mr. J. H. Jessiman (Fort William): The leader of the NDP (Mr. Lewis) should stop taking those ugly pills, they are affecting him.

Mr. MacDonald: The member for Fort William obviously needs some pill. I don't know which one; anti-pregnancy maybe.

Mr. Lewis: Who wants to ask the Solicitor General (Mr. Yaremko) a question at 10 o'clock in the morning?

Hon. Mr. Winkler: There is some justification to the question, I must say. But on the other hand I don't subscribe to the remarks of the hon. member in regard to the Solicitor General. I think he is just 'way off base and I—pardon?

Interjections by hon. members.

Mr. R. F. Nixon: Oh, the minister doesn't have to defend him.

Hon. Mr. Winkler: Of course, it is a matter of opinion. If the member wants to ask a question of the Solicitor General, I'm sure he'll answer it.

Mr. J. E. Stokes (Thunder Bay): He hasn't got a question for him.

Hon. Mr. Winkler: Well maybe it is the member who hasn't got the question, I don't know.

Mr. MacDonald: I know the House leader is embarrassed. This is par for the course; this has gone on before.

Interjections by hon. members.

Hon. Mr. Winkler: I am really not embarrassed, but I wanted to say one other word: The Premier is at the present time in conference with Archbishop Pocock, and I don't think that the members would have him forgo that particular—

Interjections by hon. members.

Hon. Mr. Winkler: I know, but I'm answering the question directly in regard to the Premier. I'll not make any excuses for that arrangement.

Mr. MacDonald: Where are the rest of them? Where are the other 17? Who are they in conference with?

Mr. Roy: Since when has he gone to confession? What is he confessing?

Mr. Stokes: Where are the other 17?

Mr. J. E. Bullbrook (Sarnia): I am wondering if the House leader would consider the propriety of stopping this charade—

Mr. Lewis: Right.

Mr. Bullbrook: —and let's start at 2 o'clock and have the question period at 2 o'clock and carry out our duties.

Hon. Mr. Winkler: Mr. Speaker, I am afraid I cannot subscribe to that right now.

Mr. MacDonald: The House leader is only a Joe boy. He does as he is told. His boss has to be around.

Hon. Mr. Winkler: That's all right.

Mr. Lewis: He can't do that? This is disgraceful.

Mr. R. F. Nixon: On a point of order, Mr. Speaker, surely the House leader can recognize the suggestion from the member for Sarnia as an excellent one.

Mr. Lewis: Sure.

Mr. R. F. Nixon: There are three or four ministers here who could perhaps go forward with legislation and we could have the question period at the usual time. I think it is an excellent suggestion.

An hon. member: Why doesn't he do it?

Interjections by hon. members.

Hon. Mr. Winkler: I have some members of the ministry here and I think that we could rightfully carry on with the question period.

Mr. R. F. Ruston (Essex-Kent): Ridiculous.

Hon. Mr. Winkler: No, it is not ridiculous.

An hon. member: Sure it is.

Interjections by hon. members.

Mr. T. P. Reid (Rainy River): He can't carry on, none of his ministers are here. He doesn't want to carry on with the legislation, does he?

Mr. Roy: Does the House leader have any suggestions about who we should ask?

Hon. Mr. Winkler: No, not at all.

Interjections by hon. members.

Mr. Lewis: By way of supplementary, I suspect that the Premier is meeting with Archbishop Pocock now, interestingly enough, on the California grape boycott, among other things, and I wonder whether that accounts for the absence of all the other cabinet ministers.

Mr. MacDonald: They are all out eating grapes.

Mr. Lewis: Why must the government do this at the end of every session? Why must they move to irrationality at the 11th hour? Why can they not accept the suggestions—

Interjections by hon. members.

Mr. Lewis: Look at this exemplary turnout from the opposition and compare it to that pathetic array on their side.

Mr. I. Deans (Wentworth): There are only three of them in here most of the time.

Interjections by hon. members.

Mr. Lewis: Well, I have no further questions. I could ask the House leader, but it's absurd.

Mr. R. F. Nixon: Mr. Speaker, on a point of order, let me put it to you, sir, that the House leader ought to consider the alternative that has been put by the hon. member, and perhaps he would consider that further; but in the absence of that, all we can do is move a motion of adjournment and ring the bells until there are enough people here that we can carry on with our business.

Hon. Mr. Winkler: No, Mr. Speaker, I don't choose to follow that course, but I will say that I would have the question period moved to 2 o'clock if the hon. members prefer to go on with other business.

Mr. Lewis: Why not? Then the House leader could send out an urgent letter to get a minister here for the business of the House.

Hon. Mr. Winkler: I am not concerned about that.

Mr. Speaker: Do I have the unanimous consent of the House to defer the question period until the hour of 2 o'clock this afternoon?

Agreed.

Mr. Speaker: Then we will proceed with the rest of the routine proceedings at this moment.

Mr. Lewis: This is called the beginning of the end, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: Order please. Order. The agreement was to defer the question period. I will therefore proceed with the balance of the routine proceedings.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Orders of the day.

Clerk of the House: The seventh order, House in committee of the whole.

Mr. S. Lewis (Scarborough West): Well, it is lucky you have got a parliamentary assistant here.

Mr. D. C. MacDonald (York South): He just got in too.

Mr. Lewis: The member for York East (Mr. Meen) deserves an elevation for this. Some of us have something in mind.

Interjections by hon. members.

Mrs. M. Campbell (St. George): Did we have the seventh order called for Bill 191? Which bill?

REGIONAL MUNICIPALITY OF HALDIMAND-NORFOLK ACT
(concluded)

House in committee on Bill 226, An Act to amend the Regional Municipality of Haldimand-Norfolk Act, 1973.

Mr. Chairman: On section 4: Are there any comments?

Mr. Lewis: Well, Mr. Chairman, I have some major comments to make. My colleague from Ottawa Centre (Mr. Cassidy), thinking that even now we would be in the midst of question period, is just rallying himself to attendance in the House.

Mr. R. F. Nixon (Leader of the Opposition): If the leader of the NDP is trying to—

Mr. Chairman: Order please.

Mr. Lewis: I am trying to fill in, and I will defer to your comments. Go ahead.

Mr. R. F. Nixon: Mr. Chairman, the parliamentary assistant has attempted to defend the idea that has been brought forward in this Act for the continuation of OPP coverage in the rural area. Can he advise me what direct section is dealt with in the Act?

Mr. A. K. Meen (York East): Section 75 deals with policing. If I may explain to the hon. member—

Mr. Chairman: We are on subsection (3).

Mr. I. Deans (Wentworth): I am glad you told me.

Mr. Meen: —who was not here last night when we were dealing in detail with this, this is actually section 4 of the bill, and section 4, subsection 75 deals with the policing and the creation of the original police force in Haldimand-Norfolk.

Mr. R. F. Nixon: Then it will be section 4.

Mr. Meen: Section 4 of the bill.

Mr. R. F. Nixon: Yes.

Mr. Chairman: That is where we are at now.

Mr. Meen: We are at subsection 75 of section 4.

Mr. R. F. Nixon: With your permission, Mr. Chairman, I would simply like to say that as far as the people of Haldimand-Norfolk are concerned they are very glad indeed that if they are going to be pushed into regional government at least the government has changed its former attitude on requiring a regional police force covering the whole area. The parliamentary assistant is aware of the argument that the costs escalate tremendously where this has been done in other regions. I wonder if he could make it clear that this separation of policing powers is going to be extended to the regions which requested such a separation and had it denied in the bills that have already been processed through the House and will come into effect as of Jan. 1, 1974.

Mr. Meen: Mr. Chairman, that is not the case. It happens that in Haldimand-Norfolk, which is a highly rural kind of region with a ratio, I believe, of something like three to one or four to one of rural to urban residents at this time, we felt that it was a different kind of region and a different kind of problem that would be confronted by the policing agencies and that it was appropriate to use this sort of approach. It by no means signals a change of government attitude, were we to deal with any other region of a nature similar to that of Waterloo, for example, or Peel or Halton or Hamilton-Wentworth, where there is a much higher ratio of urban to rural than there is in Haldimand-Norfolk.

Mr. R. F. Nixon: The fact remains that because of the nature of the regional areas—let us say in Muskoka, York, the one in Durham, perhaps not Peel so much, but certainly Halton; and very large areas of Wentworth which are entirely rural, despite the fact that the city of Hamilton is tucked away in one corner as a major urban centre—surely those rural residents should not be denied the right to continue with OPP coverage with all of the advantages that that entails, particularly the advantages of lower costs of policing.

I see the hon. member for Haldimand-Norfolk (Mr. Allan) has just taken his place. He has a very cheery smile on his face, and why shouldn't he, because I believe that the government's so-called rural-urban ratio is just a bunch of claptrap. In fact, it was the member for Haldimand-Norfolk who said to the government that it couldn't have regional government down there if it imposed regional police.

Mr. J. N. Allan (Haldimand-Norfolk): The Leader of the Opposition knows I wouldn't do that.

Mr. R. F. Nixon: As a matter of fact, I am prepared to give him a great deal of credit for that, because I think that when it comes to a no-nonsense application of a change, such as this, he has saved the government's bacon in a situation which would have been completely unacceptable. I would say to the parliamentary assistant that if he examines his so-called four-to-one ratio in many of the other regions that have been established it can be seen that many of the areas which are now paying the high costs of the newly established and imposed regional police should be relieved of those costs.

The parliamentary assistant through the minister is showing a complete disregard for the needs of those people who don't want regional government imposed upon them, particularly because of the increased cost. Can he indicate what the urban-rural ratios are, let us say, in York county, in Halton and in the major areas of Wentworth with the exclusion of the single urban centre of Hamilton, and in Niagara?

Mr. Meen: No, Mr. Chairman, I do not have those figures available.

Mr. R. F. Nixon: Can the assistant indicate whether or not, in fact, such a survey has been done with an eye and a view to changing the policy on regional police versus the continuation of OPP coverage?

Mr. Meen: I am not aware that any comprehensive survey has been completed in any of the other regions, Mr. Chairman. It is obvious from the Richardson report and other studies that the general area of Haldimand-Norfolk is a rather different sort of creature from the other regions and we have—

Mr. R. Haggerty (Welland South): We don't buy that; you're all wet.

Mr. Meen: We have taken this approach in what we believe to be a practical resolution to a rather difficult problem that would otherwise arise.

Mr. R. F. Nixon: Let me make it clear that I am not objecting to the provision in this bill. I think it is a good bill, if regional government must be imposed as it has been, but I simply suggest to you—and I'm glad that the Treasurer (Mr. White) has taken his seat because it would involve him very directly—I remember the Treasurer making a speech in Port Dover where it was raised by myself, this matter of the costing problems associated with regional policing versus a continuation of OPP. At that time he said he would give it consideration.

I'm delighted he did, but I cannot see how the policy can be designed for one area of the province and not given an equal basis, an equal footing, for those other people who are about to enter into regional government or have been suffering with the high cost of regional government over the last two, three, or as much as five years.

Now is there any possibility the assistant can advise the Treasurer that there is going to have to be a uniformity of that policy for the other areas concerned?

Mr. Meen: Mr. Chairman, I simply repeat, we have tailored this provision in the Haldimand-Norfolk Act to suit the needs of the people of Haldimand-Norfolk. I might also add, and the hon. member would have heard this if he had been in his seat last night—

Some hon. members: Oh, come on!

Mr. Chairman: Order please.

Mr. Meen: We are awaiting the outcome of the task force on police for one thing, and it will be interesting to hear their views on many elements such as this.

Mr. T. P. Reid (Rainy River): Yes; when is that report coming out?

Mr. A. J. Roy (Ottawa East): You have been hiding behind that for months.

Mr. R. F. Nixon: Well if the minister is so concerned with the reports of able experts advising the government, why then in this same section, or part 6 of the Act, is he insisting that a judge be put on the police commission? He is surely aware that the royal commission on—what do they call it—on the law, on improving the laws of this province—the Law Reform Commission, has specifically recommended that judges not serve on police

commissions, that they have what amounts to a conflict of interest, since they act as employers and also in a position as judge where their employees are giving evidence.

There is a direct recommendation; and the assistant has just said he puts great store by these recommendations. Yet he has not seen fit to bring about the changes that recommendation would involve. Can he explain why once again this statute would require, not even the local judge, a judge, to act on the police commission?

Mr. Meen: Mr. Chairman, once again it would have to be a policy decision on the part of the government as to the structure of these police boards. The board of police commissioners in this case is structured in the same way as all the others, and once again we await the recommendations of the task force.

Mr. R. F. Nixon: It is not structured as the others are. You have a double policing force here; you have tailored this, as you say, for the special needs of Haldimand-Norfolk and you have departed from the other bills. Why can't you depart from it in an area where it is particularly recommended by the Law Reform Commission?

Mr. Meen: I am directing my response, Mr. Chairman, to the structure of the police board, not the area over which they would have jurisdiction. What I am saying is, as to the structure of the board, the appointees to that board, the provisions are the same as in all the other regions and will remain that way until we have the advice and information necessary from the task force on policing. Then the government will take those matters under advisement, and it may or may not make some change in policy as to the appointees to these police boards.

Mr. R. F. Nixon: Well obviously the parliamentary assistant, even with the minister present, is simply following his instructions to see that the bill goes through without change and simply stone-walling any suggestions that may come from this side. It seems strange, as far as we are concerned, that you are prepared to defend one departure from the standard procedures that have been imposed by the government in the past on the basis of the special needs for the area; and then say the reason you are continuing with the prototype under other circumstances is you are not in a position, because it is a matter of policy, to depart from it.

I see the people who make the policy have finally trickled in from their meetings with highly-placed clerics and others. They should be taking part in the debate, it seems to me, under these circumstances.

There is a third matter I want to raise under part VI, and that has to do with a special situation in Haldimand-Norfolk. I am sure the assistant is aware that it was the only county in Ontario which had a county police force made up of four members and the Attorney General (Mr. Bales) and the budgetary experts of the government, I believe through the Ministry of Transportation and Communications, strangely enough, were the ones who were able to continue this after the county force was established some years ago. The force has done excellent work. It was well accepted, particularly in enforcing the Highway Traffic Act on county roads. Of course, that is being done away with.

While there is a good deal of regret about that, I can see that such a force could not be allowed to continue when the government is revamping the whole system.

But it means that some of the larger municipalities are going to be deprived of bylaw enforcement facilities that had been provided through the county force, which are now no longer available. It seems to me this should be recognized as a transitional cost and covered in special grants for those lower-tiered municipalities which will now have to arrange at cost to themselves for the enforcement of local bylaws which were covered under the county force, which is now being done away with.

Can the assistant indicate whether transitional grants would be made available to those lower-tiered municipalities whose costs would be artificially increased because of this situation?

Mr. Meen: I am getting awfully tired of repeating myself from last night for the benefit of people who weren't here last night.

Mrs. Campbell: That's cheap.

Mr. J. E. Bullbrook (Sarnia): That's a cheap shot.

Mr. Roy: Was the assistant's leader (Mr. Davis) in the House last night?

Mr. Meen: I would point out that, as I said last night, there are not merely transitional grants, which can take care of elements such as this, I expect; there are not only those provisions in general legislation, there is also the provision that on the basis of policing, the Haldimand-Norfolk region will

receive $5 per capita for every last man, woman and child in the region—

Mr. R. F. Nixon: Of course, that is a standard special grant.

Mr. Meen: Special responsibility for the region will be limited to, I think it is, the six areas presently enjoying local police force protection. So they will be getting a grant substantially more than the actual per capita grants that would ordinarily go into a region where they have the responsibility for the entire police protection. This will in no small measure tend to offset the cost of, say, hiring a bylaw enforcement officer or two to replace the work that has been done up to now by the Haldimand-Norfolk police force—by the Norfolk county police force, I should say.

Mr. R. F. Nixon: Did you indicate last night that the matter pertains directly to the bylaw enforcement officers?

Mr. Meen: No, I indicated—

Mr. R. F. Nixon: Then how can the parliamentary assistant stand in his place and castigate me for asking a question that he answered last night when he didn't? Maybe he shouldn't have to get up at 10 o'clock in the morning. Why is he so irritable? I happen to share the representation of that area with two other members; the member for Elgin (Mr. McNeil), who doesn't happen to be here as far as I can see; and the member for Haldimand-Norfolk, who is.

Mr. Bullbrook: Who is here?

Mr. R. F. Nixon: So why shouldn't we be able to ask specific questions without the parliamentary assistant saying, because he has parrotted that old baloney about the special grants for policing—which everybody knows about; which is standard in all the regional governments—that for some reason I shouldn't ask the question now? I think that is unfair and unwarranted. Arrogant is a better word.

Interjections by hon. members.

Mr. R. F. Nixon: So, can the parliamentary assistant assure me, as a member for the area concerned—or an important part of it; certainly not all of it—that the additional cost of bylaw enforcement will be directly met by special transitional grants? I see him looking over his shoulder for the answer from somebody, who I hope is going to give us a positive answer.

Mr. Bullbrook: Or the answer the assistant gave us last night, according to him.

Mr. Roy: Lean over backwards.

Mr. Meen: I am not going to assure the Leader of the Opposition that there is anything directly—

Mr. Roy: The assistant is hard.

Mr. Meen: The point I was trying to make earlier is that they receive grants for police purposes based on every last person in the region, notwithstanding that their basic obligations for police protection relate only to six limited urban areas. In effect, therefore, there is additional money being made available through that avenue, which can very well be used in an indirect fashion to offset the cost of the bylaw enforcement officer.

Mr. Haggerty: The assistant knows that is not sufficient.

Mr. M. Cassidy (Ottawa East): Mr. Chairman, I wonder if we could get some specific figures here. What is the total of the present police grants to the six municipalities in the county of Norfolk? What is the present cost of policing? What is the estimated cost of the regional police force in its first year? And what will be the amount of the new grants under the regional policing formula?

Mr. Meen: I don't have the actual figures at the moment, Mr. Chairman; having expected that I would be called in about 15 minutes from now. The staff with the fiscal figures weren't alerted; but they are on their way.

Interjections by hon. members.

Mr. Chairman: Order.

Mr. Meen: I don't have that information at the moment.

Mr. Haggerty: Why don't you?

Mr. R. F. Nixon: You should be more prepared than that.

An hon. member: Why don't you guys do your homework?

Mr. Roy: Why don't you guys get working?

Mr. Cassidy: In other words, Mr. Chairman, we can't deal adequately with this.

I'd just like to read something from the Richardson report. I think the assistant will accept that Mr. Richardson, of all the people who have commented on this, is probably the most expert. He states that the cost of regional policing alone would absorb much of the increased unconditional grant which

would go to the region not just for policing but for all other purposes as well. Much of the region is now served by the OPP so that only part of the cost is borne by the recipients of the service through their property taxes. This is, of course, not true for the taxpayers in those urban municipalities which have their own police forces.

The regional policing will add substantially to the total cost of policing borne directly by the people of the region. The total cost will be much higher, including heavy initial investments for such facilities as a new regional police communications system and a fleet of police cars.

Of course, Mr. Richardson recommended a regional police system to cover all of the region. That is not being done in the case at this time but as the assistant said last night—and I was here last night, Mr. Chairman—there is not a nickel more going to be made available at the time when the province will put pressure on the region to go to a regional police force covering the entire area. Not a nickel more because the grants are being paid from the outset.

That may be helpful at the outset to some extent but I think we can safely predict that between the bylaw enforcement officers and between the problems of a police communications system to cover all of the region, which is relatively large, and between the problems of new equipment and so on which will have to be purchased with regionalization, the costs will go up with a regional police force even if it only polices the urban areas. There will be an additional increment of cost which will be very substantial and which will have to be completely borne by people in the area because the province is doing all that it cares to do at this time with the structure of the grants.

What is the population of the six towns which currently have policing? Maybe we can work out the proportion of costs to be covered in that way.

Mr. Meen: I can get those figures for population on the six towns in the next few minutes.

Mr. Cassidy: Mr. Chairman, I would suggest then that we stand the section on police aside and go on to a further section until the assistant can come up with some adequate information.

Mr. Chairman: I would tell you that we are really on subsection 3.

Mr. Meen: One point that I think should be borne in mind is that so far as I understand it, at any rate, the area presently serviced by the Norfolk county police force, with all of its four men, does not receive bylaw enforcement service at the present time. I could be mistaken. When I was down in Jarvis, I think, speaking with the joint study committee of the two counties—

Mr. R. F. Nixon: It's only in Norfolk county.

Mr. Meen: —we discussed all of this and the county representatives seemed virtually unanimously in agreement with our proposal.

Mr. Haggerty: Tell that to the taxpayers.

Mr. Meen: In fact, the compromise position which flows more money into the region for general purposes—and certainly it can go toward police if they direct it—should more than offset the cost of hiring one or two police bylaw enforcement officers if they choose to do that. You have to recognize that in the six areas—the actual grants, if they were $5 per capita for those people only—the areas for which the region at this time will have responsibility—would mean that their per capita grant for policing was substantially less than the $400,000 approximately that they will receive on the present basis.

Mr. Haggerty: That won't buy a communications system.

Mr. Meen: I think if the members will bear with me, we can take a look at the 1971 population figures which I now have available. Delhi 3,700; Port Dover 3,200; Simcoe 10,000; and Waterford 2,000. We have about 18,000, perhaps 19,000 there, plus Caledonia with 3,100, Dunnville with 5,300 and Hagersville with 2,000; so we've got another 10,000 there. That's roughly 29,000 out of more than 80,000. In round figures again, we've got about 25 per cent of the populace who are presently served by local police and would be served by the regional police force under the new arrangement. But instead of receiving a $100,000 police grant on that basis, they will receive about $400,000. Now, with that additional $300,000, I am sure a few bylaw enforcement officers could be hired.

Mr. Cassidy: You know, Mr. Chairman, one of the problems in considering this bill is that we are now into a sort of piecemeal consideration of the cost, piece by piece. The Richardson report estimated that the overall

provincial grants available to the municipality of Haldimand-Norfolk, once it's formed, probably would amount to about $1.2 million, which is about $15 per capita—that pretty much accords with the figure that was given by the assistant last night—as compared with about $600,000 in the old structure, for an overall increase of about $600,000.

What we are seeing in the House, though, is that the parliamentary assistant is spending that money over and over again. He spends it on the police; in a few minutes he will be spending it on general administration, then he will be spending it to provide Mr. McCombs' salary in a year or two when it is no longer paid by the province. He will be spending it in order to provide for the increased cost of roads on a regional basis. He will be spending it in order to provide for the increased cost of planning on a regional basis, and so it goes.

Frankly, I'm very sorry that the member for Haldimand-Norfolk, the member for Elgin and the other member from the area involved are not standing up on behalf of their particular region, because I think that the region is getting a raw deal from the province. The regional government is being forced down their throats.

They will wake up in a year or so. They will read the debates and they will see what is being said on this side of the House by the New Democratic Party and by the Liberal Party; and they'll say, "Well, why didn't anybody in the government tell us that this was what was going to happen?" That's what they'll be saying, because they will wake up with a terrific financial nightmare, a really hideous kind of situation, as they find that their own local taxes are being boosted sky-high because of a regional level of government that they didn't particularly want but which they were forced to accept because of economic decisions about development made by the Province of Ontario.

If the province insists that that development should go ahead, not just in the area of police but in all of the areas, it should ensure that the financial resources are available so that the people in that area don't have to suffer as a result of provincial decisions.

I simply do not accept the kind of answers we are getting from the parliamentary assistant at this time. They really are unacceptable.

Mr. Meen: Mr. Chairman, I have an amendment to move to section 75 of clause 4, if I may do so at this time.

Mr. Chairman: Yes, we are at subsection 3(a).

Mr. Meen: That's right. And with respect to subsection 3(a), may I introduce the following amendment—you have a copy of it there, and I believe the hon. members opposite have copies as well.

Mr. Meen moves that clause (a) of subsection (3) of section 75 of the Act, as set out in section 4 of the bill, be amended by adding at the end thereof:

> And to participate in the Ontario Municipal Employees' Retirement System supplementary plan, as established for the town of Dunnville police force, on and after April 1, 1974, in respect of service after such date.

And further, that the said section 75 be amended by adding thereto the following subsection (4):

> Notwithstanding clause (a) of subsection (3), those members of the Haldimand-Norfolk regional police force who participated in a supplementary pension plan on or before March 31, 1974, shall continue to participate in such plan, and in respect of those members who did not participate in the supplementary pension plan, the bargaining committee established under subsection (5), and its successor, shall be entitled to negotiate with the Haldimand-Norfolk police board in respect of the payment by the board of contributions into the supplementary pension plan relating to past service of such members and that the present subsections 4 to 7 be renumbered as subsections 5 to 8.

Mr. Chairman: Shall the motion carry?

Mr. Cassidy: I would appreciate a copy of that amendment if there are any available, please.

Mr. Meen: Yes, I had intended to give copies to the hon. member for Ottawa Centre and the hon. member for Brant (Mr. R. F. Nixon). I don't know where they are.

Mr. Roy: My God, you are becoming all heart.

Mr. R. F. Nixon: While we're waiting for the amendment—Are you going to put the amendment?

Mr. Chairman: Yes, I have.

Mr. R. F. Nixon: You've done so?

Mr. Chairman: Yes.

Mr. R. F. Nixon: The amendment is before us. I wonder if the parliamentary assistant can indicate if there is going to be any make-up cost associated with bringing these provisions into the pension programme for the police. It's going to be brought up to the standard that had been established by Dunnville, which we presume would be then uniform across the whole region. Are there going to be make-up payments that must be available from the regional council, or from any individuals?

Mr. Meen: Mr. Chairman, this is an amendment similar to the ones introduced and passed last night in the other bills and the answer in short is "no," in the sense that on and after, in this case, April 1, 1974, all of the members of the Haldimand-Norfolk police force will then, and from and after that date, be on the same footing as the Dunnville police force presently is with respect to all benefits, but in particular the one we were attempting to protect here, the supplementary OMERS benefit plan which, in the case of Dunnville I understand, relates back with prior service.

What we're requiring the region to do here is to pick up a plan which, with respect to current and following service—day to day service—beginning April 1, the officers on the force will all be on the same footing. But there would be no requirement under this section that the region pay back under the supplementary benefits plan for past service. That is being specifically, and very clearly, left as a negotiating item which is not foreclosed. The police association will be quite free to negotiate this with the new police board at any time in the future as one of the many bargaining elements.

I might add that I met with representatives of the Haldimand-Norfolk police forces, and in particular, Mr. Ted Johnston, who is, I understand, the Ontario Police Association expert on OMERS benefits, and outlined to them what we were contemplating doing and found them to be in complete concurrence with this approach toward the supplementary benefits.

Mr. R. F. Nixon: So this section will open up to possible future negotiation the alternative of making back payments if the council—or would it be the police commission?—

Mr. Meen: Yes.

Mr. R. F. Nixon: —the police commission or the police board established might see fit to accept the proposal from the police to give them benefits that would have accrued from their previous service?

Mr. Meen: Yes, Mr. Chairman. There had been some concern that this might be foreclosed; this has been expressed with respect to other bills. We want to make abundantly clear that we were not foreclosing this. We wanted to leave that as a negotiable item.

Mr. Chairman: Shall the section carry then?

Part VI agreed to.

Mr. Chairman: Are there any comments, questions or amendments before we get to section 141 of the Act?

Mr. Cassidy: You are pretty ambitious, Mr. Chairman. I'd like to ask on part VII, about regional waterworks, how the assistant considers that in this largely rural area the regional waterworks—and for that matter, the regional sewage works—are going to work, given the fact that this is the only region in the province, apart from Sudbury, where both water and sewer are being put exclusively at the regional level.

There is a problem created in the fact that there is no local input into problems related to water or sewage, but it is all being done on a regional basis. And given the fact that there will be, in effect, according to subsection (7) of Part VII, urban service areas in which a special water rate will be levied if water service is provided, I'd like to ask why is it that there won't be any kind of local body which is administering that and which is making the decisions about whether or not water should be provded, or whether or not sewage should be provided? This was recommended by Mr. Richardson and seems entirely appropriate in an area as largely rural as Haldimand-Norfolk.

Mr. Meen: It is felt, Mr. Chairman, that water and sewers and main arterial roads, along with financing and planning itself, are all essential ingredients of the responsibility of planning at the senior level. It follows then that we have carried the responsibility for water in all its elements to the senior level.

Section 7 and the following section 8, I think, are the area rating provisions which we discussed last night in the other bills. I think that it is essentially a standard form. I agree it departs from Mr. Richardson's views in that respect. We have not adopted all his recommendations. But water and sewer and their provision in all their aspects are so important planning tools that in an area like Haldimand-Norfolk, where the growth pressures are going to be so enormous and so

variable in the immediate future, we could see no justification for the fractionating of the responsibility between two levels of government.

Remember, too, that the region is made up of representatives, the regional council. The committee of council that would be administering such matters as water and sewer services is made up of representatives from all quarters across the region. We think that there will be adequate area input into the decision-making process.

Mr. Cassidy: I must say I am concerned about this. Let me just give an example. I had a letter the other day from another part of the province, from Bruce Mines, a community near Sault Ste. Marie. It is a community which is largely made up of senior citizens. The Ministry of the Environment, formerly the Ontario Water Resources Commission, has come in and is building a sewer and water system in that particular village and it is going to cost people there somewhere between $20 and $30 a month additional in order to have sewer and water services.

They were quite adequately served, as far as they could see, by well water and by septic tank services beforehand. It is not a community which is growing; it is not a community experiencing growth pressures; it is a community where many of the people experience financial pressures. They simply can't afford the increase in services with the corresponding increases in costs which have been imposed upon them by the Ontario government through the Ministry of the Environment.

You are going to have a very similar situation in a number of villages and towns in Haldimand-Norfolk. These are villages in some cases with little or no industry—a few shops and things like that, a few hundred population. Many of the people living there will be, in fact, senior citizens. They will be farmers who have retired to a nearby village while their farm is passed on to their children or sold out of the family, and they will have quite possibly pretty severe financial problems.

Along comes a bunch of technocrats working for the regional government, and along comes a group of ministerial technocrats and planners who are seeking to adapt as quickly as possible this rural county, or set of rural counties, to suit the urban conditions created by the intrusion of Stelco into that particular area. They say, "Look, we have got to have sewer and water systems in this village and that village and this village and that village in order to cope with the growth which is coming over the next 10 years." In technocratic terms that is a reasonable kind of thing to say.

They come up to a regional government whose chairman says it is just county government by another name, and it doesn't understand what is happening. Frankly, there is a tremendous prospect there that the people in the regional council are just going to get snowed. They find their representative represents not just their own little village but several other areas and villages and doesn't have the same local contact that existed before. He is only one of a council, whereas previously the council for the area consisted completely of people from the area.

In other words, you have created a very unstable situation. What is going to happen in two years time, Mr. Chairman, is that we are going to be getting letters to the member for Scarborough West and to the member for High Park (Mr. Shulman) and to the member for Brant and to myself and to other people on this side of the House. Maybe the member for Haldimand-Norfolk and other members on the government side will get these letters too, saying, "What can we do? We had perfectly adequate sewer and water systems. Everybody agreed that we weren't polluting the water courses; the septic tanks were safe; the well water was safe but now because of something which is beyond our ken and beyond our control, the government is insisting that we have sewer and water services and we are going to have to pay for them."

A very funny thing would happen to the government—what would happen to this government if the people of Dunnville and the people of Simcoe and the people of Port Elgin and all the other communities in the area were to get together in the local councils and say, "We don't want it. We are quite happy with the kind of size we have right now and if it's a choice between this massive growth or no growth we prefer to bump along with no growth and just keep on as the quite semi-rural area we have been in the past. We will therefore refuse to take the steps that are necessary in order to permit that massive growth. We will block it. We will do everything we can to block the growth on the regional councils through our representatives there and on our local councils"?

The government has done everything possible in this government structure for the region of Haldimand-Norfolk to make that

difficult. It has concentrated enormous powers at the regional level. Relative to the area municipalities, the regional government of Haldimand-Norfolk is more powerful than any other regional government in the province. That's a relative kind of thing because it's not very powerful, but all the same there is little or nothing left at the local level beyond garbage collection and sidewalks. I think the assistant will agree with that.

There have been some pretty dramatic changes in thinking around this province over the last few years at the municipal level. There is the tremendous change, for example, in the city of Toronto and the kinds of changes exemplified, say, in the different stands taken by Karl Mallette of the TTC two years ago and today. Two years ago he was an expressway addict and now he is an advocate of public transportation.

These changes in attitudes are occurring very suddenly and I ask the assistant two questions. In the first place, what about the financial problems of the people who will be affected by decisions which are being put beyond their control because of the lack of any local input into water and sewer decisions? That's one. Second, what would the province do if the regional municipality through its council said, "We've had it. We don't want your growth. We don't want your Stelco. We don't want all these other things. You can just take them away and pack them up"?

Mr. Meen: I'm not quite sure to what extent this is on the point, Mr. Chairman. It may be. We are talking here about a planning tool called the provision of water. I don't think anybody should take it, from our reposing that responsibility and that planning tool in the hands of the planners—namely, the regional council—that the various areas throughout the municipality which are presently getting along nicely with their ground water supplies and their septic tank systems are going to be required overnight to convert to a central system of water supply and to some kind of trunk sewerage system. That is not the expectation at all.

There could be a multitude of disposal systems throughout the region—but determined by the region. This is the point. The region can determine where and when they go in and what kind go in and to what extent. In the case of extensions into new areas, if services are extended it would be in those areas in which area rating would apply, since the hon. member did direct his attention at one point to subsection 7 of section 78, dealing with area rating.

If that kind of thing goes into the new areas where the charges can be placed—the charge is being placed there at the option of the region if, indeed, that is where the benefit accrues—in that direct fashion it removes the tax burden from others who are already adequately serviced.

Mr. Cassidy: Can the assistant tell us which of the 15 or 18 communities in Haldimand-Norfolk are those which currently have both piped water and piped sewage; and which are those which lack it, and what are their populations?

Mr. Meen: I do not have that information.

Mr. Cassidy: I think that is pretty germane to the questions we raise, because area rating doesn't relate only to new subdivisions that may be created in response to the growth generated by Stelco, the area rating also relates to communities that are now happily getting along with ground water supplies and with septic tanks. These would be villages of maybe up to 1,000 or 1,500 population; which don't particularly want to grow, don't particularly want a tax burden of an extra $20 a month or so on many of the residents, who can't afford it but who will be affected by regional decisions, and will have no effective local means of saying: "Look, we are sorry, we don't want it; we want to stay as we are," because the recommendations of the Richardson report haven't been followed.

Now, of course, area rating exists in Ottawa-Carleton and exists in the other regional municipalities that have been created across the province; but those other regions, with the exception of Muskoka, are essentially urban regions, and they have urban incomes, urban lifestyles, urban desires and so on.

This is a rural region at this time. It is going to become an urban region because the province is hell-bent on making it one. But over the next 10 years or so an awful lot of that area is still going to be a rural region, and a pattern of area rating without local input, which may be acceptable in an urban regional municipality, I suggest, is not acceptable in a rural regional municipality, which is what you've got right here.

That's why I'm raising the objection, and that's why we'll vote against this particular part of the bill; because we simply don't accept that it has been adequately thought through, and we think that the Richardson

recommendation should have been accepted, so that the people in the various communities could have had their own body, which represented them and which was able to make these kinds of decisions, in consultation with the regional municipality.

I accept and I agree, that water and sewers are, basically, planning tools, and therefore there should be an input into them at the regional level. But I don't accept and I don't agree that the regions should be able to designate certain areas that say: "This area, this village is going to grow, and because this village is going to grow we are going to impose a $20 a month tax on that area so that it can get water and sewer." And that's that, baby; you've no objection, no appeal, no means of stopping it, no means of turning it off.

Mr. Chairman: Shall part VII stand as part of the bill.

Those in favour of part VII standing as part of the bill will please say "aye."

Those opposed will please say "nay."

Mr. Cassidy: On a point of order, the assistant was really trying to say something there, I think.

Mr. Chairman: I understand what he was saying.

I declare that part VII stands as part of the bill.

Is there anything in part VIII?

Mr. Cassidy: Yes, Mr. Chairman, if I can just find my notes here.

Mr. Chairman: Does part VIII stand as part of the bill?

Mr. Cassidy: Yes, on part VIII, Mr. Chairman, I think the points I wanted to make on part VIII I essentially made on part VII. I don't think they need repetition; but for the same reasons we opposed part VII we will also oppose part VIII.

Can I ask the assistant again: Has he got information as to what proportion of the urban residents in the region currently have sanitary sewage services?

Mr. Meen: I am advised that the various urban centres, roughly the six major urban centres, all have water and sewer services; so that is roughly 30,000 or 29,000 out of slightly over 80,000.

Mr. Cassidy: I see; but that means then that there are probably 20,000 people living in smaller communities, villages and hamlets and so on, who do not have sewage services, is that correct?

Mr. Meen: I am advised that there isn't anything like that number.

Mr. Cassidy: Okay, but it's those people we are talking about, it seems to me, Mr. Chairman. The point is that one of the options which the Treasurer has put before people in the area has threatened them that what will come is the expansion of existing communities. Those existing communities that expand may well be some of these smaller communities which obviously the people in the areas never thought would grow when they moved into these little villages and hamlets. It's just a quiet, comfortable place to live and nothing more. These people, in particular, who currently don't have sewage services are going to suffer and are going to have to pay this kind of cost, like it or not, because they are being given no option and no local input according to the bill. We will oppose this section.

Mr. Chairman: Shall part VIII stand as part of the bill?

Mr. Cassidy: No.

Mr. Chairman: Those in favour of part VIII standing as part of the bill will please say "aye."

Those opposed will please say "nay."

In my opinion, the "ayes" have it.

I declare part VIII carried.

Are there any points to discuss in part IX?

Mr. Cassidy: I think that the question of finance comes to the crux of the bill. It was dealt with in fair detail in the Richardson report but I haven't really had any kind of statement from the assistant. Perhaps I can ask him about it before we begin. He mentioned that the grants per capita would go up to as high as $18. There are 80,000 people living in the region. What would be the total provincial grants to the region and to its area municipalities—that's one question—and how does that compare with the total of provincial funding made available to the region under the existing system?

Mr. Meen: I can't put my hand on my fiscal sheets at the moment but, in brief, while I find those figures, it will more than double the grants that are presently going into the region on an annual basis, not just transitionally. The present grants into the region are, I understand, about $600,000 and under the new regional setup the grants will

be $1.4 million. So it's a very substantial increase in the grants into the region.

Mr. Cassidy: What is the present per capita cost of local and county government in the region?

Mr. Meen: There's no breakdown of that figure available.

Mr. Cassidy: Well, can you give us an estimate, then? What kind of studies have you done on the fiscal impact of regional government in the area? How much per capita will regional government cost in its first year and how does that compare with the current cost of local government and county government in the area? That's a perfectly reasonable question and one to which the House is entitled to have an answer.

Mr. Meen: I am not in a position to answer the question as to the present costs except in their total. I have my precise figures now. I found my fiscal information, and $545,000 is the present input into the municipality. It is estimated that it will work out at $1,460,000, an increase of $915,000 over the present input. The assistance we anticipate making at this time in our calculations will more than overcome any additional costs which the municipality may incur.

There will be, of course, provincial assistance with startup costs. We can look at defined needs as necessarily and solely brought about by regional government, but this figure, we just can't come up with at this time. So I can't tell the hon. member what some of the transitional grants are going to be; and I repeat that I do not have the information as to the present per capita cost of administration of the system. All we are confident of is that under the new scheme of regional structure which will be brought in, the assistance will be increased by almost $1 million.

Mr. Cassidy: Mr. Chairman—

Mr. R. F. Nixon: And the costs will be about how much?

Mr. Cassidy: He doesn't know. Can you give us the object of expenditure for which transitional grants will be available, even if you haven't got the exact sums. For example, you are paying the regional chairman's salary for a couple of years. I believe that the province is paying the cost of the election next Monday; what other costs are you meeting under these transitional provisions?

Mr. Meen: Well, it takes care of the shift in the incidence of taxation. The mergers of the municipalities, all this kind of thing, is one of the major things the transitional grants look after, of course.

Mr. Cassidy: But apart from the increase in the grants, there is nothing else, though. Is that correct? Well, let me ask the question another way—

Mr. Meen: No, that's not so, because we have the additional support for police, for example, and the additional per capita, in any event—and these are not transitional, you see—up to $8 per capita. And all of these elements bring about this net increase of $915,000.

Mr. Cassidy: I will just put on the record one fact, Mr. Chairman. I am sorry, I haven't got all of the figures that I prepared on the previous bill about the financing; but I think that the parliamentary assistant will recall that the revenues of all municipalities in the area amount to about $12 million per year. If you turn that around, the revenues must be pretty close to the expenditures; and therefore the present expenditure on local government per capita is running at about $150 per capita per year, in the forthcoming region of Haldimand-Norfolk.

Now, that figure is interesting for a couple of reasons. One, in comparison to the increases in grants which are being provided here, the present figures offered by the minister amount to about $7 per head per year; and that includes the police grant and the general municipal support grant. If that goes up to $1.4 million, that will be an increase of approximately $10 or $11 per capita.

Now, you have got to take that $10 or $11 per capita through, and measure it against the existing level of expenditure; and the existing level of expenditure of $150 or so per capita means that there is an increase in provincial resources going into the region of approximately seven per cent of its existing rate of expenditure.

In other words, if regionalization costs no more than an additional seven per cent, then the people in the area will, on average, be in the same position as they are now. They won't be worse off, they won't be better off, and there will be the transitional provisions mentioned by the assistant in order to cushion any who have severe tax shifts.

Now, the problem though is that the current rate of municipal expenditure across the province averages something more than about $200 per capita; and in the regional munic-

ipalities it is probably higher. I regret I don't have those figures here with me today, but I am sure that the assistant massages these figures every night before he goes to bed, and knows them intimately and much more than I do.

Mr. R. F. Nixon: Massages?

Mr. Meen: Thinking of other figures.

Mr. Cassidy: And the point is, therefore, that in the headlong rush from a rural to an urban area, it is inevitable that the costs in the area are going to rise, not by $10 or $11 per capita, but by much more.

The assistant has already admitted that a substantial portion of that $10 or $11 increase in provincial grants will be taken up for such things as bylaw control officers, and the costs of a regionalized police force, even though that police force is only policing a third of the population of the area.

Let me just read into the record one or two points that were made by Mr. Richardson about this because he was very concerned. I don't think his advice has been adequately looked at by the government in coming up with the financial provisions for the bill. He said on page 51 of "Threshold of Change," volume two, "Local Government":

> The future conditions which the area faces will be such that for a long period municipal tax revenues will constantly lag behind the demand for funds for expanding municipal services. In the future, therefore, the financial stability of the new region may be much more heavily dependent on additional provincial transfer payments than are other regional municipalities which do not have to cope with such rapid and radical changes.

Before reading on, Mr. Chairman, I'd like to ask the parliamentary assistant what special financial provisions, if any, is the province undertaking in order to offset this particular problem in Haldimand-Norfolk which has not been found in any other region? Taken that the sparsity—

Mr. Meens: May I interrupt? I don't want to interrupt the hon. member except that I missed the first part of his question. I was distracted. Will he please repeat the question?

Mr. Cassidy: I was reading from—did you hear the quote that I read from the report?

Mr. Meens: No.

Mr. Cassidy: Okay. The report says that because of the future conditions which the area faces:

> —for a long period municipal tax revenues will constantly lag behind the demand for funds for expanding municipal services. In the future, therefore, the financial stability of the new region may be much more heavily dependent on additional provincial transfer payments than are other regional municipalities which do not have to cope with such rapid and radical changes.

In Haldimand-Norfolk the grants being offered are on the same basis as are offered to all other regions in the province. They happen to be particularly high in Haldimand-Norfolk because it benefits from sparsity grants at the top rate and that is the only difference today between Haldimand-Norfolk and, for the sake of argument, the region of Ottawa-Carleton.

The question is that the grants they are getting simply compensate for the lack of density and for the fact that they are regionalizing the police and that kind of thing; so what specially are you going to do to compensate for the particular conditions of extraordinary rapid growth in the area?

Mr. Meen: Mr. Chairman, we can't specify it at that time but the member is quite right; basically the additional sums are derived through the sparsity grants and they will run at a level of about $5 per capita because of the sparsity figure. Across the whole of the region one could expect an average pushing pretty close to $5 per capita for sparsity grants. Hard service funding, for the things that will really cost the dollars in the next five to 10 years, I suppose, can very well come from the Ministry of the Environment. Although the government can't make any commitment at this time I am certain we would have to take a good look at those expenses as they were incurred in order to determine an equitable way in which they would be funded and financed generally.

Mr. Cassidy: If I were a resident of Haldimand-Norfolk I wouldn't find that adequate. What about other costs of regional government? What about planning costs, for example? Will there be special assistance for the extraordinary planning job that has to be done in the area? Will there be special assistance for the—

Mr. Meen: Let's deal with one at a time.

Mr. Cassidy: Okay.

Mr. Meen: We think that the study already completed by Nigel Richardson goes a long way in the course of determining the plans for the region. We do not think that their planning costs will be out of the way, and the additional grants per capita and so on that normally flow to a region will more than compensate for this sort of thing. In the case of Haldimand-Norfolk they are really substantially ahead of the position other regions find themselves in, which haven't had the benefit of a study such as the Richardson report.

Mr. Cassidy: That may be. On the other hand, because the population in the area is so small you get into a discreet difference in tax rates or in burdens for almost everybody you hire. If Ottawa-Carleton hires somebody at $20,000 a year it can spread it over a population of 400,000 people and the cost per person of the service of a senior planner, for example, is relatively slight. If Haldimand-Norfolk hires a $20,000-a-year planner, that is 25 cents for every resident in the area, just like that. That is the kind of problem we get into. Let me read on in the report which spent a number of pages on this whole question of financing.

Mr. Meen: Let me just point out, though, that the hon. member is purporting to spread costs on a per capita basis when, in fact, costs are obviously spread on an assessment basis. As soon as certain of these developments get under way there will be assessments that they will bear which will obviously carry a good deal of the cost of this kind of thing.

Mr. Cassidy: That's fine, except for the fact that Stelco's plant will be a half-billion-dollar plant. But it will be under construction for some time, and as I recall, under the Assessment Act you don't get assessed until you are actually in production or very close to production. If you have half a steel plant, and it is not producing, you don't pay taxes on it. I am not sure whether the same thing doesn't apply to the refinery as well, that is if they are still some period away from actual production.

Secondly, because the Minister of Revenue (Mr. Grossman), on the direction of the political advisers to the Premier (Mr. Davis), has delaved market value assessment around the province, some other sources of additional assessment in the area, such as the cottages, which are under-assessed, won't be contributing their share in the new region for another four or five years—and it is these four or five years that are particularly critical.

Mr. Meen: I think all that can be said has been said, Mr. Chairman.

Mr. Chairman: Shall part IX stand as part of the bill?

Mr. Cassidy: I have one or two more points I want to read into the record, Mr. Chairman. I won't go on with this too much longer.

> It is quite likely [says Richardson] that [the new and increased unconditional grant] will be insufficient to cover the whole of the increased costs of regional administration together with new regional services. Taxes, therefore, will almost certainly have to go up somewhat more than they would have done without regional government.

That is one quote, from page 53. Secondly:

> A quite distinct consideration is that the rapidity of urban development in the future . . . will create an unprecedented need for the provisions of services, completely disproportionate to the normal fiscal resources of the new region.

I would just like to read this into the record, Mr. Chairman, because it isn't just pipes, watermains and sewers; it is other things as well.

> This will include, for example, a regional system of piped services, a greatly improved road system and a heavy programme of school construction . . . In the circumstances which will prevail in Haldimand-Norfolk, the scale of these expenditures will be so high in relation to the region's tax base that the municipality will at times be able to pay only a small share, sometimes not amounting to more than a token payment. No standard cost-sharing formula can be recommended because circumstances will vary and judgements as to the appropriate provincial share of costs will have to be made accordingly.

Mr. Haggerty: It should be about $75,000 to $100,000 for one area alone for legal fees.

Mr. Cassidy: Mr. Chairman, we haven't had the kind of commitment that the people in the area need. In reading Richardson, I recognize again that you can't say specifically, okay, we'll pay 95 per cent of the cost of schools, 98 per cent of the cost of pipes or whatever; you can't quantify it on that basis. But I think it is fair to ask in this Legislature for a commitment to the people of Haldimand-Norfolk that they will not be asked to bear the cost of development to accommodate new population, which has nothing to do with their historic being there in the region.

Mr. Meen: Well, that brings us back to area rating again. It is precisely what we are talking about. If the region in their wisdom decide to apply the cost of a certain new development in that area, they may area rate it both as to water and as to sewers; hence the sections we talked about earlier.

Mr. Cassidy: But, Mr. Chairman, may they also area rate as regards regional roads which serve the entire area? Can they area rate, as far as the cost of new schools? Can they area rate as far as the cost of administrative services that have to be added to the regional government in order to cope with the problems and the enormous development that is in there?

Mr. Meen: Well, the new schools will be built when the need arises and there will be assessment there to support those schools; so hopefully there will be no increase in the cost of carrying a home that presently exists in an area such as Dunnville, for example.

Mr. Cassidy: Okay, let's ask that as a specific commitment. Will the assistant ensure, on behalf of the government of the Province of Ontario, that the taxes required to maintain a home in Dunnville, Simcoe or any of the other existing municipalities will rise at a rate no faster than the average rate of tax increases on property across the province?

Mr. Meen: It would be nice to be able to reassure hon. members that that would be the case, but of course no one can assure that that would be the case. This is a matter strictly in the hands of the local councils, Mr. Chairman.

Mr. Cassidy: No, I disagree, Mr. Chairman. This is a matter very largely in the hands of the provincial government, which is dictating development there, is dictating needs for these services and is not prepared to make an adequate assurance to people in the area that they will be protected against having to bear the costs because the province will simply leave the bundle on their doorstep and not be willing to take its share.

Mr. Chairman: Shall part IX stand as part of the bill?

Part IX agreed to.

Mr. Chairman: Part X starts on page 62. There is an amendment at section 141. Is there anything else before section 141?

Mr. Haggerty: I would like to ask a question with regard to section 137, which reads: "The regional corporation shall appoint a regional fire co-ordinator—"

Mr. Chairman: On 137.

Mr. Haggerty: "—who shall be responsible for the establishment of an emergency fire service plan and programme for the regional area, and the regional corporation is authorized to expend such sums as it considers necessary to implement such plan and programme."

The reason I wanted to discuss this matter with the parliamentary assistant is that I noticed in the Niagara region they have the same clause in there, but for some reason I don't think it is working out as it should. One of the reasons that I find is that there are some municipalities that have adopted the National Building Code, while some other municipalities have not adopted the National Building Code.

I find that when you're dealing with safety regulations and fire codes in the municipalities there is a lack of uniformity in the region by not having the region adopt the National Building Code. I know that there are provincial building standards to be brought in some time in the near future, but I don't know when. Until that time I think the area should be all classed under the National Building Code so that it can have uniformity with safety regulations throughout the region.

I particularly want to set an example in the Niagara region, where under the homes for the aged, the administrator was establishing foster home care for the elderly citizens throughout the region, and certain municipalities would have the National Building Code and there were certain regulations that would apply to it. When fire inspectors came in to make an inspection of the building, it would not meet the requirements under existing rules or guidelines established under the National Building Code. It was almost a threat to say—not particularly by the administrator but by elected officials of the region—"Well, in this case, we'll pull this service out of this municipality and we'll put it into another municipality," which just isn't right.

What you are asking for in this matter, if you don't have some safety precautions there, is that you are going to have perhaps a serious fire and loss of life. There is no protection whatsoever under such haphazard guidelines that are set under this section 137. I suggest that we should be bringing in some regulations that will apply uniformly across the area municipalities.

Mr. Meen: That might be so, Mr. Chairman. The section 137 we are talking about

is just to co-ordinate the firefighting function within the various area municipalities. We are leaving firefighting as an area municipal responsibility.

Mr. Haggerty: Why?

Mr. Meen: That may be a good question.

Mr. Haggerty: Yes.

Mr. Meen: But it's been a consistent thing throughout our region. In your case, in the case of Niagara, I would have thought that you, as the member for Welland South, would feel that there was merit in a different kind of firefighting force in a rural municipality from the kind that might well be required in a highly urban core area such as St. Catharines or Niagara Falls.

Certainly that's the opinion that's been expressed to me in my perambulations across Peel, Halton and Hamilton-Wentworth in the last year or so. I'd have thought that he would have perhaps felt the same way. Certainly a lot of people have. On the other hand, I am inclined to think, as apparently the hon. member does, that maybe this is just another function that might also be well handled at the regional level.

Nevertheless, because there has been such a strong feeling from areas such as Haldimand-Norfolk that the rural people want to have a force oriented to fighting rural fires and the urban people want to have a force oriented toward fighting house fires and store fires and this kind of thing, they were better to have their own forces administered at the area level.

Why we have done it here is that this has been a consistent policy. Nigel Richardson recommended this, and the joint study committee adopted this. It felt that this was appropriate for their purposes also in Haldimand-Norfolk. Therefore, in doing that, it's desirable that there should be the requirement that they establish a co-ordinator literally to co-ordinate their activities within the six areas in the event of some wider disaster or other requirement that they should operate in a joint manner. Now that doesn't get anywhere close to the member's observations about the National Building Code; that, of course, does not come under this section.

Mr. Haggerty: What I am suggesting is that if you are going to have this thing function properly with a regional co-ordinator for fire purposes, then you must have some standardization in the building codes throughout the area.

Now I am well aware of particular municipalities in the Niagara region and I am sure in Haldimand county they had a mutual aid system, which is similar to section 137. It has worked out very well throughout the municipalities. But I say to the assistant, that all fire equipment today is of a standard, and they can handle either town fires or urban fires or rural fires. The biggest percentage of equipment today carries about 500 or 700 gallons of water. If they can get there in a matter of two or three minutes they can handle almost any fire. And I think they are doing a good job.

All I am suggesting is that I think you should have some standardization in the building codes throughout the municipality so that there's more uniformity.

Mr. Meen: One thing that has just occurred to me—and I'm not sure whether this applies in the Niagara region. But I say this to the hon. member for Welland South, that under this scheme in Haldimand-Norfolk the general authority for planning, which includes building bylaws, is all under the region; so that it may very well be that the region could implement a consistency of building bylaws right across the whole of Haldimand-Norfolk. Maybe we should take a look at the Niagara region in the same vein.

Mr. Chairman: Anything further before subsection 141, then?

Mr. Haggerty: No. I was looking at—section 141, is it?

Mr. Chairman: Yes, we have an amendment for section 141.

Mr. Haggerty: All right; then I may want to add a few comments to this.

Mr. Chairman: The member for Ottawa Centre.

Mr. Cassidy: Just two or three questions, Mr. Chairman.

Mr. Meen: On section 141?

Mr. Cassidy: No, prior to section 141. I'll put them all down and the assistant can answer. The first one relates to section 122. We have talked about this one-tenth of one mill before. Given the opportunity in this particular bill, why don't you take it out now, rather than having to amend it in a year or two? The second question—

Mr. Meen: What section was that?

Mr. Cassidy: That was section 122.

The second question relates to the question of waste disposal. I am not clear whether you are giving the responsibility for garbage collection to the regional municipality, in addition to the responsibility for maintaining dumps and refuge disposal sites.

Mr. Chairman: The member is on section 135.

Mr. Meen: I have to apologize to the hon. member. I was paying attention to his reference to 122, and I think he has raised a second point, which I have missed.

Mr. Cassidy: Under section 135, I believe the wording simply gives waste disposal—that is dumps and refuse sites—to the region; but does it also give them the powers of garbage collection, or is that left as the one remaining function of the area municipality?

Mr. Meen: To answer the last question first—garbage collection is local, but they would bring it to central collection depots, or under the general administrative arrangement of the region. It's the solid waste disposal, where you put the solid waste, that is the responsibility of the region. The reason is that you might use an old gravel pit or quarry for the purpose of solid waste disposal; but without careful analysis of where water goes that drains out of the bottom, you might find your ground water supplies contaminated by this kind of practice. So it is essential that disposal of the solid waste be under the same authority as that which has the responsibility for the provision of potable water.

I am of two minds as to the reference in section 122. I told the hon. member last night that, frankly, we think there is no real reason for the retention of this. I say "we" in the sense of my personal view of this situation.

It's in the bill and I think we should leave it; but we are going to take a good strong look at determining whether this kind of provision and limitation on a municipality should not be removed. If we were to do so, it would be one which we would apply to all municipalities within the regional structure.

Mr. Cassidy: Mr. Chairman, coming back to 135: What functions are left at the local level? They collect garbage, they can fight fires. They can't zone, they can't plan. They can build sidewalks and they can, I suppose, look after a few local roads. What else is left at the area municipality level, according to the Act?

Mr. Meen: Without getting into the particulars—and I don't think it would be hard to generate a few more—in due course, when the official plan has been approved, the area municipalities will have a lot more. They will have bylaw enforcement; they'll have all kinds of local matters they can deal with. At the present time, and until the official plan comes in, their functions obviously would be more limited.

Mr. Cassidy: Okay, I'll raise a further question then. You're creating new area municipalities and effectively giving them, as the assistant himself says, no serious responsibilities at all. So what's the point of anyone getting themselves elected to one of these area municipality councils? The only people on those councils who really have any clout will be those at the regional municipality level.

Mr. Meen: That's not really so, because the other members then have their direct access to him. And with respect, I would suggest that the hon. member, having served at the municipal level himself in Ottawa for some time, would know that he has the opportunity, as an alderman at the area level, to make definite decisions with respect to his own ward and with respect to his own municipality, and in other respects has access directly to the people who are doing the overall and more broad-based planning for the whole of the region.

Mr. Cassidy: In this particular case, where you have newly-formed municipalities rather than historic units and they have so little powers, I think there is a really serious problem about the viability of local government in Haldimand-Norfolk the way it's being proceeded with by the government.

Mr. Chairman: Is there anything further before section 141? If not, the hon. parliamentary assistant.

Mr. Meen moves that subsection (4) of section 141 of the Act, as set out in section 4 of the bill, be struck out and the following inserted in lieu thereof:

The regional corporation shall be deemed to be a municipality for the purposes of the Parks Assistance Act, and the regional council shall be deemed to be a recreation committee for the purposes of the Ministry of Community and Social Services Act and a board of a community centre for the purposes of the Community Centres Act.

Mr. Meen: I might explain that this is more of a housekeeping matter than anything.

Mr. Chairman: Shall this motion carry then?

Mr. Haggerty: Mr. Chairman, I just want to speak on the whole section 141, not particularly to the amendment—

Mr. Chairman: Shall we just carry this amendment? Then you may bring in another point.

Mr. Haggerty: All right.

Mr. Chairman: Shall this motion carry then?

Motion agreed to.

Mr. Chairman: The member for Welland South.

Mr. Haggerty: Thank you, Mr. Chairman. I want to speak to section 141, particularly about the large development that is going to take place in the Nanticoke area. I believe there are 5,000 to 7,000 acres of land that are going to be developed by the Steel Co. of Canada, and I guess there will be large amounts of land developed by Texaco in that area.

In the Planning Act, I believe, there is a dedication section that requires that five per cent of the lands must be dedicated for park purposes. I'm well aware that it does not apply to an industrial complex, but when one reads the studies coming out of that area regarding the huge industrial development that is going to take place—there is also going to be an industrial park of about a couple of thousand acres of land—I was just wondering if the Planning Act could be amended so that where there is industrial development, five per cent of the land should be dedicated for park purposes.

Mr. Meen: I suppose so, Mr. Chairman, but that doesn't happen to be under this section. It would be if we were dealing with the Planning Act.

Mr. Haggerty: I know that, but what I'm suggesting to the assistant is that when these bills are being drafted, consideration should be given to the particular sections of the Acts to include industrial parks and so forth.

Mr. Chairman: Shall this section stand as part of the bill?

Mr. Cassidy: Mr. Chairman, on section 141, I understand that the regional municipality is being given full powers in the field of parks; in other words, it has equal status but greater financial resources than the area municipalities, which presumably may also create and lay out parks. Is that correct?

Mr. Meen: Not exactly, Mr. Chairman. There can be regional parks if they're of a regional nature, if they are large and located so that they could serve the whole of the region; or there can be local parks; as we know them today it is parks and parkettes. Both levels of government have authority over parks.

Mr. Cassidy: That's what I said, but according to the wording of section 141(1), the powers given to the regional council are in no way limited to the kind of park that might be called regional or of regional importance. If they want to build a "tot lot" in the middle of Simcoe, they have that power under this section. Is that correct?

Mr. Meen: Yes, I suppose in that sense it is fair to say that they could; they can define what they consider to be a regional park. But remember they are responsible to the electors of all of the region, and if they go around spending regional moneys to acquire land and to establish parks of a strictly local nature, then be it on their own political heads.

Mr. Cassidy: Well, neither the assistant nor I believe they ought to be setting up "tot lots" in Simcoe or in Dunnville. On the other hand, this simply opens the door for the area municipalities to go up to the region and say: "Look, we are going to dump it all in your lap." It is effectively a further weakening of area municipalities.

There is a further problem, though, which is a straight financial problem here. I wonder if the assistant can tell us what is the desirable amount of regional parkland that should be available in Haldimand-Norfolk when it achieves its population of 325,000 at the turn of the century.

Mr. Meen: I wish I could look into my crystal ball and tell the hon. member. I think that is going to be one of those decisions that the planners and the councils over the years in Haldimand-Norfolk will have to establish.

Mr. Cassidy: Well then, perhaps I can ask what is the acreage of parkland in the two counties right now?

Mr. Meen: I haven't any idea.

Mr. Cassidy: All right. This is an important issue, and this is the only place to raise it. With 325,000 people, you are talking about 1,000 acres of parkland of a regional nature as a desirable minimum, and I would have thought 2,000 or 3,000 acres probably would have been better; particularly if, as one

hopes, this does turn out to be a planned community. If it is going to grow at all, then for God's sake let's make sure that it at least has a decent environment, and parkland should, particularly, be on the stream valleys, on the river valleys and along Lake Erie.

In addition to the kind of development pressures that are coming into the area, there will be pressure by people wanting to buy desirable cottages and to turn them into permanent homes and by people wanting to get sites overlooking the valleys and so on. In other words, the land for park development ought to be acquired now before the price simply goes out of sight.

The acquisition of the land required for parks, 2,000 or 3,000 acres, is going to be very expensive, and I would like to ask the assistant what financial provisions is the government prepared to make in order that the new regional government can acquire regional parkland well in advance of need over the next five years before the price simply goes out of reach of the people in the area.

Mr. Meen: I think that question is going to have to be answered when the regional government makes decisions as to the lands that should be acquired for park purposes. I am given to understand that the conservation authorities down there presently have upwards of 1,000 acres of parkland properties. Now whether that will be adequate either for the present or for the anticipated 300,000 of population in the area by the year 1990 or 2000, is something I am certainly in no position to assess.

It might well be that over the years certain hazard lands should be acquired in areas that are defined, when they eventually establish their official plan, as areas that should be retained for green belt. It will depend on the manner in which they are acquired as to whether they can finance it themselves or whether they require any other form of assistance from Queen's Park.

Mr. Cassidy: Well, what form of assistance is the province willing to provide?

Mr. Meen: Who knows? We will have to look at that at the time.

Mr. Cassidy: That's the problem, though, Mr. Chairman. The people are coming into a financial nightmare. They don't know what to expect. The minister's assistant himself says, "Who knows?" and that's been the situation with this entire development in Haldimand-Norfolk.

Mr. Chairman: Shall section 141 stand as part of the bill?

Agreed to.

Mr. Meen moves that section 142 of the Act, as set out in section 4 of the bill, be amended by inserting after "museum" in the first line, "and the Wilson MacDonald Memorial School Museum."

Mr. Meen: I might just mention that when I was down in Jarvis I learned for the first time of that second museum and undertook to amend the section to include it.

Mr. R. F. Nixon: I'd like to ask the assistant, Mr. Chairman, where that museum is located.

Mr. Meen: I am advised it's in Haldimand county, Walpole township.

Mr. R. F. Nixon: I thought maybe you'd find one over in Norfolk.

Mr. Chairman: Shall this motion carry?

Motion agreed to.

Mr. R. F. Nixon: Wilson MacDonald.

Mr. Meen: Yes.

Mr. Chairman: We have an amendment on section 144.

Mr. Meen moves that section 144 of the Act as set out in section 4 of the bill be struck out and the following substituted therefor:

Notwithstanding the provisions of the Public Libraries Act, the minister may by order provide for the establishment of a public library board in any area municipality and for the transfer of any assets and liabilities of any former public library board to such new board.

Mr. Chairman: Shall this motion carry?

Mr. R. F. Nixon: In what way was the old section too inadequate? It just says "by order" and having to do with the transfer of assets.

Mr. Meen: I wondered if anybody would ask me that question. Mr. Chairman, I don't really think that it is inadequate, but the library boards in the area were concerned that the local municipalities might not want to pass a bylaw re-creating them as a library board in any of the new municipalities—

Mr. R. F. Nixon: Oh, it can be done by order.

Mr. Meen: —and they wanted the opportunity, should such local municipalities decline to pass such a bylaw, to come to the minister to seek his support and his ministerial order.

Mr. Chairman: Shall this motion carry, then?

Motion agreed to.

Mr. Chairman: Any comments, questions or amendments on any later section of the bill?

On section 6:

Mr. R. F. Nixon: Mr. Chairman, something on section 6, which is the commencement section. I was wondering if the assistant would, without getting irritated at perhaps having to repeat information already made available, before the commencement section comes in can he be sure to check with his colleague, the Minister of Transportation and Communications (Mr. Carton) that the designation of Nanticoke as a city will in no way interfere with the availability of funds for road structures under the grants payable under the other departments Normally cities receive grants payable on a basis of 50 per cent for structures, and other municipalities, particularly lower-tiered municipalities, receive grants at the level of 80 per cent.

There may be a section that in fact replaces this whole grant situation for roads because it's a regional municipality, but I thought that before the Act went into force we should be sure that there was no way in which the citizens locally are going to be subject to more economic hardship than they already face.

Mr. Meen: Mr. Chairman, the hon. member for Brant doesn't need to apologize on this point. It never was raised earlier, and in fact I am advised that the Municipal Subsidies Adjustment Act takes care of all this and he may be reassured that there would be no such problem.

Mr. R. F. Nixon: There is one other matter which might be attached to this section, which is the commencement date; it is a matter that the Treasurer, who is in the House, tends to get a bit apoplectic about as well. That is the whole feeling through this bill that we are in fact accommodating a tremendous growth potential in the city of Nanticoke, and you say the population will very well go to 300,000. Before the implementation under section 6 is it possible there can be a further statement as to how the city of Nanticoke, and in fact the whole region, is going to be assisted in coming to their own decision as to where the growth in the new community will take place?

I don't want to labour this at this time, but the parliamentary assistant and the Treasurer, who may be listening, are certainly aware of the availability now of a large acreage of land in what is going to be the city of Nanticoke, which was privately assembled. You may recall some questions in the House whereby there was an implication that these assemblers may have had some special knowledge as to the results of government reports indicating growth factors in the future. The fact that they picked the wrong area indicates they had no special knowledge, and I can remember the Treasurer very publicly heaving a sigh of relief because he felt that if the areas had coincided there might have been some suspicion on the part of suspicious people that there had been a leakage of information. There is no charge along those lines.

I do say that the Treasurer's sensitivity in this matter seems to have led him away from even the possibility of suggesting that that land which is already assembled and under option could be available to the new regional government or to some arm of the provincial government if it chose to involve itself in the development of a new city.

It is true that the recommendations in the formal report do not indicate that that area is the most desirable, but in fact they pick an area a bit further to the south. They don't overlap in any way. The point I made in a public statement which the Treasurer very unfairly construed as apparently being in favour of some developer or speculator—which I tell you, Mr. Chairman, was not intended in that way at all—is simply this: That you have the availability, according to the public offer of these private land assemblers and speculators, call them what you want, to have them turn over the land for the use of the city of Nanticoke or for the new development at their cost, which is on average $1,600 an acre.

I am sure when you sat down to talk to them there would be ancillary provisions, which of course the government can examine. I simply ask you to look at the alternative, and that is to go through another Pickering-style assembly in the other area. Much of the land is already optioned, I am told, at values three times the $1,600 level of the options in the present Townsend area, which happens to be in my constituency. I don't exactly think

that is a conflict of interest, but I would tell you that it is in my constituency.

All I say on this implementation section is that between now and the time the provisions go into force I think there should be a clear statement from the chief planner, the Treasurer, as to how the province is going to be involved in assisting the regional council which has all of the planning authority except that which is reserved to the Treasurer, which is as much as he wants, which is all of the powers until he raises his freeze and there has been no indication of that. There should be a statement, as clear as possible, of what the assistance is going to be from the province and what the guidelines are going to be.

I would suggest to you that if we involve ourselves in another land acquisition for a new town of the type we are experiencing in Pickering then we are going to be making another serious and costly mistake. You've got to balance the recommendations. The government planners have indicated that the properties not now assembled would make a better townsite. The judgement has to be made by somebody and the chief planner will certainly intrude his judgement in it in some form, in some respect, there is no doubt in my mind about that. If the judgement is that that is where the town has got be under the circumstances we are making a commitment, I would say, for the expenditure of public funds probably in the area of $80 million to $100 million more than would be spent to acquire the site that is presently assembled.

I simply put this to the assistant in this way. I feel that the Treasurer's sensitivity in this matter has, in fact, interfered with his judgement. Surely it has been premature for him or anybody else at the provincial level to say: "That is the site that we should be planning on."

As a matter of fact there has been no specific designation that even the one in the Haldimand-Norfolk study report would be the one to be used. I cannot accuse them—the Treasurer or the planners—of unfairness, other than I sense that they have not given a rational or even consideration to the first alternative because of their fear that there would be a charge of involving themselves with speculators and developers.

I will tell you that if we can get that land for $1,600 an acre already assembled, with the farmers who own it presently satisfied—and they may not stay satisfied particularly if the government gets in there with its hoppers full of money. They may say, "We want more money because other people are getting it." If that is an alternative, believe me, it has got to be considered, because although it may not be the best site for a town there are many independent planners—let's say planners who have a reputation for independence but who are presently employed by those people who optioned the land, let's put it that way—who at least can justify the usefulness of those properties. Now it is going to be valuable in the long run, anyway; but I simply want to go on record as urging the Treasurer to give it an even and careful consideration and not allow his personal sensitivities to interfere with that. I hope that that advice, at least, will be considered.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Mr. Chairman, there are no plans for a new town. There may never be any plans for a new town. I have warned the speculators and developers and landowners a dozen times that this is the situation. There will certainly be nothing proceeded with until the regional government is well established, at which time their advice will be sought. If there were a new town, two years or 20 years from now, it could be in the private sector; it could be in the public sector; or it could be some new partnership not as yet attempted in this province.

We are not going to be bludgeoned into closing off all of these other options and shutting off the input from the new regional government by agreeing to a deal which is not very good from a consortium outside of Jarvis. While it may be that your constituents are very well pleased with the proposition, the prospect that faces them, this is certainly not the case in the riding of Haldimand-Norfolk, from which we are getting many representations that the Townsend site should not be adopted. That happens to lie beyond the horizon of your riding, but I can tell you there is a great deal of opposition from Port Dover and Simcoe and other communities.

The deal which we have been offered—the only deal offered in writing from the consortium—would have had us in one of two ways acquire 75 per cent of the land at their cost, which is not defined, providing the other 25 per cent were left to the consortium for commercial development. Now, to accede to that kind of a deal at this juncture, and given the facts of the new regional government coming along, I think it would be irresponsible in the extreme; and I certainly couldn't possibly agree to it.

Mr. R. F. Nixon: Okay, but if you permit just a further question or two along these lines, Mr. Chairman. First, the minister has made it clear that the regional council is going to participate in this only by way of offering their advice. I think that clears up something that has been a bit foggy in the area; because other statements from the Treasurer, I believe, have indicated that the decision would have been made by the new regional council at some time in the future. So I believe that is now clear.

But whether or not there will be development and where it is located is the prerogative, the chief planner, the Treasurer says, of himself—of course getting whatever advice that he chooses to receive. But it will not be a decison made under the provisions of this Act by the regional council itself; which is in fact designated as the regional planning board, I understand, according to these provisions.

Hon. Mr. White: No, I would like to comment on it, because I have made it crystal clear if at some future date the province itself were to expend tens of millions of dollars creating a new town, we would have to retain the decision-making power.

If, on the other hand, a dozen existing communities were enlarged to provide the residential, commercial space and so on, it may very easily be that the provincial government will not be directly involved in the development of those services.

However, I have said this more than once before, and those people in Haldimand-Norfolk who are concerned about this issue and who are informing themselves of statements made here and elsewhere, must know that this is the case. It would be absolutely impossible for us to let the regional government decide how to spend tens of millions of dollars of provincial money on a new town. That responsibility must be retained here.

Mr. R. F. Nixon: I have just two questions remaining then. With the implementation being April 1, all of the planning authority—even though this bill is proclaimed and it goes into effect—all of the planning authority in large areas covered, is still retained under the Treasurer directly by virtue of the ministerial order imposed on those areas. I believe that it is incumbent on the Treasurer to make a fairly clear statement as to when those orders will be lifted and the responsibility for local planning will go to this newly established council.

Hon. Mr. White: Well it will be just as soon as they are willing and able to take the power on. Of course, there will have to be adequate planning and adequate zoning bylaws. These ministerial orders have been imposed where bylaws were insufficient—

Mr. R. F. Nixon: No.

Hon. Mr. White: —and they have been imposed in certain instances where the bylaws may have been sufficient but where we were not prepared to run the risk of hasty development in the absence of an overall plan.

Mr. R. F. Nixon: He changed the township of Townsend, which I suppose was the one that triggered the minister's orders. There was a fully accepted official plan, backed up by a panoply of bylaws that were approved by the minister and his predecessors. Surely he can't imply to the people down there, who spent the money and did the work on developing that, that they were inadequate. They were the best that could be gotten, and they were approved. I just can't accept that statement.

Hon. Mr. White: Well now we've got both.

Mr. Cassidy: Mr. Chairman, I just want to pursue these questions with the Treasurer for a minute since they have been raised here. I don't think the Treasurer understands the preconditions that are necessary in order to give local people the kind of input he is trying to give them regarding the choice as to whether or not to have a new town and, if they are to have a new town, where it should be put.

I am sympathetic, and we are sympathetic, to any desire to have that kind of local consultation, but you cannot have meaningful consultations so long as the kind of speculative activity now under way in the area continues.

It is no choice for the people in the area to look at one site where the land is changing hands on options at around $4,000 an acre, at another site where the land is optioned at $2,000 an acre and the developers want 25 per cent of the action and to the outskirts of other municipalities where land is also changing hands at very inflated prices. That's no choice at all.

There ought to be a technique in Ontario law, brought into this Legislature and passed, which allows the people in an area like that the necessary time to make a rational decision

without being exploited, without having their pocketbooks emptied, because of the speculation which is permitted by the government under current law.

What should have happened in this case, Mr. Chairman, is that the government should have acted about a year ago on the recommendations of Mr. Richardson; and if it wasn't sure about the siting of the new town, it should have simply been able to put an order on the areas which seemed possible as new town sites—and we have two or three in mind.

Mr. R. F. Nixon: Well, it's all under order.

Mr. Cassidy: Yes, but the order only—

Mr. R. F. Nixon: How can you stop people from buying and selling land?

Mr. Cassidy: You can't stop them from buying and selling land. All I am saying is that the public purse should be protected for a period of a year or two years, whatever is necessary for the consultation to take place. During that time the public should retain the right to buy the land at the price that prevailed at the time the order came in. But that hasn't been done.

As a consequence, farm land that was worth $400 or $500 an acre, has now gone up to anywhere from five to 10 times that amount. It is not influenced at all in its price by the freezing of the zoning. Agricultural land remains agricultural land as far as the zoning is concerned.

The minister has locked the front door and the speculators have crept in the back door. We need a technique, and it should have been used in this particular case; millions and millions of dollars of public funds will be spent in order to correct that fault on behalf of the government.

Mr. Chairman: Shall this section stand as part of the bill?

Hon. Mr. White: Well, Mr. Chairman, I would like to make something clear: The member is suggesting, I guess, that when a possibility arises of creating a new town, we should go in and freeze the prices?

Mr. Cassidy: That's right.

Hon. Mr. White: Well this would be a gross departure from all of the safeguards and provisions in the Expropriations Act and in all of the other legislation that we have created in the last 10 years to protect our citizens. And to shift that benefit from a group of modest farmers to some other group, whether it be commercial developers or something else, I think would be untenable.

Mr. P. D. Lawlor (Lakeshore): You should protect the province by freezing; that's what you should do.

Mr. Cassidy: That's right.

Hon. Mr. White: The Leader of the Opposition appeared to agree with me on that.

Mr. Cassidy: I realize the Leader of the Opposition is bound into the same system as the Treasurer—but the principle is very simple, that the profits to be made from a change of use should accrue to the public because it is the public decision which gives that land the value of urban land. It is as simple as that. The only technique available in Ontario law right now would be to slap an expropriation order on the entire region or on large parts of the region. Frankly, I think there are better ways to do that than the use of the Expropriations Act directly, but I urge the minister—

Mr. R. F. Nixon: How socialist—

Mr. Cassidy: —before he bankrupts the province by buying up land at the kind of prices which he encourages in speculation, that this kind of technique be provided. We've had examples, Mr. Chairman. Between June and now the cost of acquisition of land on the escarpment and the parkway has risen to $250 million. That wasn't necessary. If the government had gone in at the time it was making its initial decision and had put an order on that particular land, value created by public actions would have gone into public pockets and not into private pockets. We really object to this kind of speculation, which is aided and abetted by the Treasurer and his party.

Mr. Chairman: Shall this section stand as part of the bill?

Carried.

Mr. Chairman: Shall the bill, as amended, be reported?

Bill 226, as amended, reported.

INCOME TAX ACT
(concluded)

House in committee on Bill 191, An Act to amend the Income Tax Act.

Mr. Chairman: Are there any comments, questions or amendments on any section of

this bill, and if so, which section? The hon. member for Riverdale (Mr. Renwick).

Mr. Cassidy: Mr. Chairman, I have a question on section 2. My colleague from Riverdale is looking for a copy of the bill. I wonder if the minister can explain to us again how it is that a maximum of $400 has been put on the exemptions that may be had, given the fact that the sales tax exemption or credit is no more than $50 for most families. Therefore, you have effectively added an increase in the property tax exemption for people under 65 from $250 to a total of $350. That is incredibly high and I don't understand the provision which would effectively permit people earning up to $25,000 and $30,000 to benefit, in certain cases, from the property tax credits.

Hon. Mr. White: I think there are two questions in this one query. First of all, why the $400 limit? I suspect it isn't necessary but the fact of the matter is that in the bill a year ago there was a $250 limit. Just to be on the safe side, I suppose one could say, that proposition was extended this year with the higher levels of credits to the higher maximum. Insofar as the distribution of these resources between various classes of income groups is concerned, I think we have reached, probably, too far up in the spectrum. I don't know if the hon. member was here yesterday or not when I said that this technique is in the earliest and most rudimentary stage. We are right now working on other possibilities and I would hope to be able to improve the system in the next budget.

Mr. Cassidy: Mr. Chairman, that is fine. I am glad the minister acknowledges that there are defects in going up to $400. If he acknowledges defects, though, why doesn't he do something about it? Specifically, why was the $400 figure chosen rather than, say, a $300 figure with an additional $100 credit permitted for people who qualify for the senior citizen credits?

Hon. Mr. White: I've answered the question as well as I'm able to. The hon. gentleman opposite seems to think that there is a perfect, simple solution to every complicated problem. When he is a little older and has a little more experience here and elsewhere he will know this is not the case.

Mr. Lewis: As a matter of fact, there frequently are certain simple solutions.

Mr. Cassidy: Don't be patronizing.

Hon. Mr. White: As a matter of fact, who was it who said—

Mr. Lewis: There are often simple solutions to complicated problems.

Mr. J. R. Breithaupt (Kitchener): There are complicated solutions, too.

Hon. Mr. White: An awareness of complexity is the beginning of wisdom. My hon. friend has not yet reached that stage.

Interjections by hon. members.

Mr. Lewis: And there was somebody who added that an acceptance of simplicity is the end of wisdom. You should tuck that away.

Mr. W. Ferrier (Cochrane South): Is the Treasurer trying to write us a bible?

Hon. Mr. White: I have got to think about that one.

Mr. Chairman: Shall this section stand as part of the bill?

Mr. Cassidy: Well, Mr. Chairman, I found what I was looking for here right now. I had better put them on the record since the Treasurer is asking us to understand the complexity of his arcane and rather Byzantine mind, Mr. Chairman, and that is rather difficult.

Here we go: It is possible to get the credits with an income of about $30,000 and paying a rent of $6,300, for a person who is aged under 65, according to the calculations that I have here. That would assume that the person was living in a home worth around $70,000, perhaps a bit more.

I did some other calculations here which are so astonishing and so unrealistic that I daren't actually bring them into the Legislature, except for the fact that they are true. The maximum sales tax credit for a person with a family of 12 under the age of 16, is $62; the maximum sales tax credit for a person with six children who are dependent, and who are over the family allowance age, and six children who are dependent and under the family allowance age is $84, therefore they still qualify for $316 in property tax credits.

You know the $250 was so objectionable to begin with that I would have thought the minister would have sought equity in reducing it instead of increasing it.

Mr. Chairman: Shall this section stand as part of the bill?

Mr. Cassidy: Mr. Chairman, we would like a vote to be taken on subclause (2) of the bill. We intend to oppose that particular section which establishes this limit of $400.

Mr. Chairman: Shall section 2, subsection (2) stand as part of the bill?

Those in favour of section 2, subsection (2) standing as part of the bill will please say "aye."

Those opposed will please say "nay."

In my opinion the "ayes" have it.

Section 2 agreed to.

Mr. Chairman: Any further comment, question or amendment on any other section of the bill? If not, shall the bill be reported?

Bill 191 reported.

Hon. Mr. Guindon moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments, and one bill without amendment, and asks for leave to sit again.

Report agreed to.

Clerk of the House: The 18th order, second reading of Bill 264, An Act to amend the Planning Act.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, on a point of order, I think it was suggested by the people who are particularly concerned with this—and this is a large number of the members of the Legislature—that if we could postpone the second reading of the Planning Act and perhaps do some of the other work, it would give us a further chance to examine its provisions and consult with some of the people who are going to be affected by it.

Might I suggest, Mr. Speaker, that if some further consideration—

Hon. F. Guindon (Minister of Labour): Mr. Speaker, I wish to apologize. I didn't give the right order.

Mr. S. Lewis (Scarborough East): The minister will never make House leader.

Hon. Mr. Guindon: No, I wouldn't want to either.

MUNICIPAL UNCONDITIONAL GRANTS ACT

Mr. Irvine, in the absence of Hon. Mr. White, moves second reading of Bill 266, An Act to amend the Municipal Unconditional Grants Act.

Mr. J. A. Renwick (Riverdale): In the absence of Mr. White?

Mr. D. R. Irvine (Grenville-Dundas): In the absence now.

Mr. Speaker: Mr. Irvine moves second reading of Bill 266. Shall the motion carry?

Mr. E. R. Good (Waterloo North): Carried.

Mr. M. Cassidy (Ottawa Centre): The member for Waterloo North is anxious to get in ahead of me, Mr. Speaker.

Mr. R. F. Nixon: No, he said it was carried.

Mr. Good: As far as I am concerned, that bill may carry.

Mr. Speaker: The member for Ottawa Centre.

Mr. Cassidy: I am just getting up on my feet just to make sure that the bill—

Mr. Renwick: I think we'll divide on it.

Mr. Cassidy: Do we want to divide on it?

Mr. Renwick: I would think so.

Mr. Cassidy: Well, that's rather a good idea.

Mr. R. F. Nixon: Does the member mean he is just reading it for the first time?

Mr. Cassidy: No, I read it before, but I didn't understand it that time and I don't understand it this time either.

Interjections by hon. members.

Mr. Cassidy: Mr. Speaker, this is a routine housekeeping bill. It doesn't make sense that it be brought forward before this House on the second last day of the session, or the third last day of the session.

Mr. R. F. Nixon: What are we going to do the second last day?

Mr. Cassidy: What? Well, this routine perhaps should go through well in advance.

Interjections by hon. members.

Mr. Cassidy: Anyway, we'll support the bill, Mr. Speaker.

Mr. Speaker: Any other member wishing to take part in this debate?

Interjections by hon. members.

An hon. member: The Liberal Party has nothing to say about this bill.

Mr. Speaker: Shall the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

MINISTRY OF TREASURY, ECONOMICS AND INTERGOVERNMENTAL AFFAIRS ACT

Mr. Irvine, in the absence of Hon. Mr. White, moves second reading of Bill 265, An Act to amend the Ministry of Treasury, Economics and Intergovernmental Affairs Act, 1972.

Mr. Speaker: The hon. Leader of the Opposition.

Mr. R. F. Nixon: Thank you, Mr. Speaker. This one, while it may appear to be housekeeping on a cursory reading—

An hon. member: Which is being done now.

Mr. R. F. Nixon: Which is being done now by my friends to the left; in fact it re-establishes the pre-eminence of the Treasurer as the chief planner even though—and we believe that this is a good thing—much of the planning authority is, and can be in the future, moved away from the Treasury and put under the Ministry of Housing.

It is my opinion that the Minister of Housing (Mr. Welch) is going to be impotent in performing his duties unless he has an extensive array of planning procedures, either in a consulting capacity or in an originating capacity, by which he can establish a priority for the needs of housing in various communities of the province and move to have them established and fulfilled. Frankly I would not have been opposed to a much stronger and fuller transference of these planning responsibilities away from the Treasurer (Mr. White).

I have felt for a good long time that there is an alternative in establishing a strong Ministry of Housing with a planning authority associated with it; or the establishment of a Ministry of Municipal Affairs, which in my view would not be a step backward at all, but which would face the realities of the responsibilities which this House carries for the conduct of municipal affairs.

I am more convinced now—as a matter of fact I am more convinced now than I was in the past—that the Treasurer as an individual and as a position, in this case, should not have the heavy responsibilities to deal with the municipalities as well as the other duties that go with that office. I do not believe that they are being carried out to the benefit of the taxpayers and the people who must come under the tender mercies of the Treasurer's attention when it comes to the reform of local government, the imposition of planning, the situation pertaining to taxation and in general intergovernmental affairs.

So, in many respects I feel that Bill 265 is a rather strange one. I would prefer it if the planning policy of the administration were more clearly set out, were more clearly transferred, either to a Ministry of Municipal Affairs, which I believe would be preferable, or by taking the charge that has been initiated with the establishment of a Ministry of Housing, by giving that minister the ability to establish priorities and then implement them with the co-ordination and consultation and, we trust, the co-operation of the municipalities concerned.

There is just an ancillary matter which pertains to the responsibilities associated with planning and the need for housing in this province. That is, the Ministry of the Environment has another extremely important role to play, which, if it remains completely independent of the priorities of the Ministry of Housing and the minister of planning who is the Treasurer, is simply going to impede the fulfilment of the priorities and, let's say, relieving the housing situation which we all agree is approaching—and is—a crisis.

The policy of the government is set out here. I believe that the division of planning responsibility is inappropriate and that, in fact, it weakens the responsibility of government. I would be very interested to hear what the Treasurer and the Minister of Housing had to say about it. Unfortunately, neither of them is in his place now and I don't know whether or not the parliamentary assistant is going to be able to speak for both of them.

Mr. Speaker: The member for Ottawa Centre.

Mr. Cassidy: This is a much more important bill than it appears. The last bill we had was a one-liner and this is a one-liner as well but it says a couple of things. It corrects a very curious omission in the 1972 Act which established the Ministry of Treasury, Economics and Intergovernmental Affairs. At that time, section 4 of the bill said that the minister was responsible for financial, economic, accounting and taxation policy, for intergovernmental affairs and would control all financial, economic, statistical and accounting functions of the government and manage the consolidated revenue fund.

It also said the Treasurer would have general oversight of our municipal institutions and their administration. I paraphrase but those are essentially the powers that were given to the ministry at that time. It is very curious that at the time there was no reference made whatsoever to planning, despite the fact that the plans administration branch, or the community planning branch, and the other arms of the old Department of Municipal Affairs were passed into the hands of the Treasurer.

I am very concerned—and I have to say that I subscribe to some of the comments made by the previous speaker—about the way in which this particular ministry has grown to gargantuan proportions. Not gargantuan in terms of people—it has less than 1,000 employees but these are all policy-making employees. The operating people, the assessment people, people like that, the cheque-writing people, have all been transferred to other parts of the government—the Ministry of Revenue, the Management Board or to other ministries. This is a department, therefore, which is almost entirely policy-making, which has got 800 or 900 people working for it, mainly at the policy level, and which has got its finger in every conceivable pie one can get a finger into in the province.

Frankly, as we are finding right now, it is beyond any one man to carry on an effective job doing it. The minister comes occasionally into the House; he often puts the member for Grenville-Dundas or the member for York East (Mr. Meen) into the breach in his stead. When we come to them with matters of policy, we find that they are incapable; they are professionally mute; they are castrati as far as policy is concerned, Mr. Speaker. They cannot talk about policy in this House and they cannot make any decisions about policy. They simply say, "I'll take it back to the minister," and they go tripping back to the minister. They say "The member for Scarborough West, or the Leader of the Opposition or the member for Ottawa Centre or somebody else said this and this: What do you think about it?" They come with the answer on a little piece of paper a few days or few weeks later if they haven't ignored it completely.

That simply isn't acceptable. The government's own chief adviser on this subject, the man who headed the task force on housing, Mr. Eli Comay, recommended that when the Ministry of Housing was created, it be created as a Ministry of Housing and of urban affairs, and that it have control of planning. That was the recommendation that Mr. Comay made. In balance, I think it was probably a good recommendation.

What the government has done, though, is create an incredible kind of Pat and Mike act between the part-time Ministry of Housing and the Ministry of Treasury, Economics and Intergovernmental Affairs. The overall responsibility for planning is to be with the Treasurer, according to this particular Act we have before us for consideration today, but certain aspects of plans, administration and approval, are to be with the Minister of Housing. If members will allow me to refer briefly to the first section of the amendments to the Planning Act, it will become very clear.

The sections about authority in the Planning Act, when they are amended by the bill which we will have later today or tomorrow, will say on the one hand the Treasurer, on the other hand the minister. They will be shuffling responsibilities back and forward and there will be endless confusion in that particular realm.

Mr. Speaker, I am most concerned, too, because of the evidence that not only is land-use planning too much for the Treasurer but it is being handled badly by this particular government.

Yesterday, we had the spectacle of the Treasurer of the Province of Ontario trying to gain the sympathy of the House for the delays, the constant and repeated delays, in his legislation, because his staff was overworked and they couldn't cope, poor dears. He had never thought that, given the responsibilities that he has taken on in his particular department, that either he needed more staff or fewer responsibilities.

There is simply too much that's trying to go through that particular department and the consequence is that we get last-minute legislation, we get pretty slide shows unmatched by actual law. We get great bold initiatives being taken by the Treasurer un-

matched by actual action. We get moves which bother almost everybody in the House taken by the Treasurer. I know that the Liberal Party is terribly upset about the expropriation by the Treasurer of the rights of private property that they believe is going on. Frankly that doesn't bother me so much as the fact that where the government ought to act in order to protect the public interest it assumes inadequate powers.

The Planning and Development Act, which was brought into this House and this province last year with totally inadequate consideration and consultation, has now been sitting on the paper as powers of the government for six months. It is covered under this particular Act that we have before us today; we don't yet know, we don't yet have statements of policy, about where or how it's going to be applied.

In the case of the Niagara Escarpment, we find that the Treasurer didn't get around to applying a land-use freeze in the area for a period of five or six months and, God knows, maybe the thing isn't in application yet. It was rather embarrassing to him, I think. But that kind of thing can happen when you get somebody who is responsible for dealing with Ottawa, for worrying about the economic situation in the province, for worrying about the fiscal situation and then for turning around and worrying about land-use planning, both at the regional level and at the local municipal level.

Effective planning in the province, Mr. Speaker, does demand more attention than can be given by the Treasurer at this time. It seems to us that if the Minister of Housing had been given responsibility for land-use planning at the municipal level that would have been an improvement and that this particular Act and this particular form would then have had to be amended or changed.

Frankly, we suspect that the whole planning function is being inadequately carried out by the Treasurer as things stand right now. We don't like what's happening in regional planning. The evidence that we have is that it's not proceeding particularly well and the evidence is that there's no real commitment to economic public planning for the province as a whole. Instead we get spectacles, like we had today, of the government rushing ahead to do the bidding of private enterprise to create regional governments in the wrong area, for the wrong reasons, when a major private firm decides to expand in the southern portion of the province. That clearly indicates that there is no effective economic planning for the province as a whole.

Mr. Speaker, it may be that one or two other members of my party want to speak on this as well, but I want to express grave reservations about this bill, and about the assumption of responsibility for land-use planning policy, both at the provincial level and at the municipal level by the Treasurer. At the very least, land-use planning at the municipal level should be in the hands of the Minister of Housing, who should be full time and, I suspect, that there should also be a Minister of Planning who works in the same policy group with the Treasurer, but is responsible for economic planning and who is responsible for the regional development planning which now goes ahead also under the wing of this Pooh-Bah from London, the Minister of Treasury, Economics and Intergovernmental Affairs.

Mr. Speaker: The hon. member for Ottawa East.

Mr. A. J. Roy (Ottawa East): Thank you, Mr. Speaker. I would like to make a few comments on this bill and to emphasize some of the points made by my leader and the member for Ottawa Centre.

If this House ever required evidence of the full disintegration of the policy fields as set up by the Premier (Mr. Davis) in 1971, I suggest to you, sir, this bill is evidence of this. You recall, back in 1971, following the COGP report, that the opposition and, I suggest, all members of the House, were somewhat confused about what the policy fields were supposed to be all about. It took us quite some time, Mr. Speaker—well, not only us; it took the policy ministers quite some time to know exactly what was in their policy areas. However, it appears very clear that the whole policy system has gone down the drain; the best evidence of this, of course, was the social development policy secretary (Mr. Welch) being named Minister of Housing and bills such as this.

Mr. Speaker, you will recall that the Provincial Secretary for Resources Development (Mr. Lawrence) used to talk about the fact that energy was the most important matter in his field. Well, we know now who has got energy; it is out of his field, and this is indicated by the chart given to us by the Ontario government. The chart is headed "Ontario cabinet structure: committees and secretariats." If we look at the resources secretariat, we see that the Minister of Energy, the member for Chatham-Kent (Mr. McKeough), is out of that policy field. In fact, the first member objecting to this bill should be the Provincial Secretary for Re-

sources Development, because they are taking everything away from him.

I recall his comments at the time he was made Provincial Secretary for Resources Development when people from the press and members of this House asked him, "What do you do? What are your functions?" He used to say something to the effect that "I think about certain things because they are going to be major issues coming up from 1971 to 1975. One of the major issues is going to be land control. What do we do with policy planning in relation to land, farm land and that type of thing."

It used to make sense that he would make comments along this line, because in his policy field he had the ministries of Agriculture and Food, of the Environment, of Natural Resources and of Industry and Tourism, and it would seem reasonable that if policy were to be made in relation to land use or planning, it should be emanating from his field.

It became very clear, even prior to this bill, that this was not his function at all, that the poor man was thinking about the wrong things. Prior to the summer recess, one of the bills we passed was called the Ontario Planning and Development Act; that bill was a major piece of legislation, as was the greenbelt bill, but again it was taken away from the Provincial Secretary for Resources Development and put into the hands of the Treasurer, who is already overworked, if I may say, Mr. Speaker, and by his own admission. If "Big Father" thinks he has got a monster, he has got a problem as well.

So it is clear from Bill 265 that it has become government policy that the Treasurer is now responsible for formulation of policy with respect to land use, and although we only see him in the evenings, I would invite the Provincial Secretary for Resources Development to come over and give us his views. After all, he has been thinking about this question of land since 1971, and I am sure he would have some contribution to make.

Back in May, 1972, Mr. Speaker, he gave some of his views about his role, and I will quote some of the things he had to say at that time—from the Ottawa Citizen:

> When Bert Lawrence was Health minister he could count on the opposition's attention half a dozen times in one question period. Now he is lucky, after being elevated to the status of provincial policy minister, to receive more than a casual query from the opposition. He says he misses the opportunity to spar with the hon. members across the floor.

Well, with friends like he has, the kind of favours he is getting from the Premier, he must be wondering who his friends are. In any event, Mr. Speaker—

Mr. Speaker: I am wondering if the hon. member would break his remarks at a convenient point so we may adjourn.

Mr. Roy: All right, yes. May I adjourn it, because I have other remarks to make?

Mr. Speaker: Would the member adjourn the debate, then?

Mr. Roy moves the adjournment of the debate.

Motion agreed to.

Mr. Speaker: Pursuant to the order of yesterday, we shall now adjourn and resume at 2 o'clock this afternoon.

It being 12:30 o'clock, p.m., the House took recess.

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Afternoon Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 6, 1973

The House resumed at 2 o'clock, p.m.

Mr. Speaker: Since we had deferred the oral question period this morning until 2, we will now proceed with oral questions. The hon. Leader of the Opposition.

Mr. A. J. Roy (Ottawa East): Not much of an improvement on the Tory benches.

Mr. R. F. Nixon (Leader of the Opposition): Not much of an improvement, but I guess there are a few good-looking ones here now, that's the improvement.

ONTARIO ENERGY POLICY

Mr. R. F. Nixon: I'd like to put a question, Mr. Speaker, to the Minister of the Environment. Did he send an observer to the press conference called by Pollution Probe and I believe given by Dr. Chant at the University of Toronto, where they put forward publicly the compendium of the research and the views of Pollution Probe, whereby governments at all levels might implement policies to improve the conservation of our energy through policy decisions?

If he is not aware of the information available from that press conference, will he undertake to make himself aware of it and perhaps give an assessment to the House as to which of the recommendations might very well be adopted by this government in the acceptance of an energy conservation policy—something more than the interesting but rather ad hoc one that has appeared in the large full-page ads recently?

Hon. J. A. C. Auld (Minister of the Environment): Mr. Speaker, I believe that there was a member of the ministry at the press conference. I have not yet seen a report or a transcript of Dr. Chant's remarks. I read the Globe and Mail and the Sun reports this morning. I would say, from reading those and without pursuing the details, that some of the things suggested would be within the provincial ambit and a good many would be within the federal ambit.

I must say some of them—as I read it in the papers—seemed very interesting and appeared to be things that might be pursued not entirely by the Ministry of the Environment but perhaps by other parts of the government.

Mr. R. F. Nixon: Supplementary: The minister is aware that his colleague, the Provincial Secretary for Resources Development (Mr. Lawrence), participated on behalf of the people of Ontario to the extent of $1 million in a programme that was convened on a trans-Canada basis to elicit the views of the community on matters pertaining to the environment and conservation in general. Is he aware of criticism of that approach and the fact that Pollution Probe does in fact involve not only the professionals but also interested citizens at the community level and it puts forward this approach, which surely does command the direct attention of the government, particularly environmental ministers? Will he undertake to give it a careful review and to give an assessment of the recommendations to the House at an early time?

Hon. Mr. Auld: Mr. Speaker, as I think I mentioned last week when the provincial secretary was not in the House, the Canadian Council of Resource Ministers who sponsored the final conference in Toronto last week, had asked for citizen participation across the country. I have not yet seen the results of the resolutions of that conference, but certainly we are very interested in any of the ideas that come forward and we will be pursuing this when we get the details.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. R. F. Nixon: I am glad the minister is interested. I have a question of the Minister of Education, Mr. Speaker.

Since the minister told us a few days ago about the only contingency plan he had, associated with the mass resignation of many thousands of teachers in the province, can he now tell us if there is a plan to recall the Legislature in the event that these resignations stick and we find that the schools in many communities are going to be closed as

of Jan. 4? Does he intend to ask the Premier (Mr. Davis) to reconvene the Legislature so that the matter as an emergent issue can be dealt with then; or does he, in fact, feel that it can be dealt with now before the end of this particular session?

Hon. T. L. Wells (Minister of Education): I think, Mr. Speaker, if the situation necessitated I would certainly ask the Premier to recall the Legislature.

Mr. S. Lewis (Scarborough West): We would be glad to come if that was the case.

Mr. R. F. Nixon: Supplementary, if you will permit me: Does the minister not feel, since the resignations are now in the hands of the boards, and the definite statements made by those representing the teachers are such that unless there is a change coming forward without delay, the resignations are going to stick, that he is going to have to do something more than sit back and say, "I'm prepared to send out 20 mediators"? Surely there is something he can do as the Minister of Education to assist in this matter and to see that it does not reach crisis proportions where the schools close in January.

Hon. Mr. Wells: Mr. Speaker, I do not want it to reach crisis proportions.

Mr. Roy: Well, he should do something about it.

Hon. Mr. Wells: I do not want to see any of the schools closed in January. At the present time, however, free bargaining is going on between certain parties and I think it becomes very crucial that we not interfere with that bargaining process at this particular point in time. I just want to tell my friend that I am also dispatching people from my own ministry to be available, as well as the mediators who are available, so that we know exactly what's happening in this situation. I am hopeful that settlements will be reached in most of these areas.

Mr. R. F. Nixon: Supplementary: Would the minister not agree that these resignations do constitute a strike; that the community is prepared to accept the concept of teachers withdrawing their services in that regard, and that a statement of policy by the minister, particularly with the intention of legislation recognizing that right, is something that would at least assist the situation?

Hon. Mr. Wells: Mr. Speaker, that statement of policy and the government's intention in that regard will come when we table the legislation regarding teacher-school board salary negotiations.

Mr. Roy: Supplementary, Mr. Speaker: In the light of the fact, Mr. Speaker, that there are some 7,500 teachers, some 175,000 students and something like 495 schools involved, does the minister not feel that if these schools are closed by Jan. 3, and since the teachers' resignations which have been put in will be effective Jan. 3, if there is no settlement that we should know whether he has plans, first of all, to recall the Legislature; and, secondly, whether he has emergency legislation now, and if he does, why do we not deal with this legislation now before the House recesses for Christmas?

Hon. Mr. Wells: Mr. Speaker, I think that the best thing that my friend could do would be to offer his services to the three parties in Ottawa and see if he can't help that local situation to get settled down there.

Mr. Roy: Am I invited?

Hon. Mr. Wells: The member does not have to be asked. He can go in and offer his services.

Mr. Lewis: Supplementary, Mr. Speaker: Since the Minister of Education has a draft bill which has been prepared in the field of teacher negotiation, based on materials flowing from the Reville report, since that draft bill, as I understand it, has found its way into the hands of various interested groups and interested parties, does he not think it would be salutary to introduce that draft bill for first reading, table it in the House right now, this week or early next, so that everybody knows what is in store? That will probably help to induce a settlement more quickly than any talk of emergencies or emergency legislation or strike action or anything else. Since the minister has the bill drafted, why can we not see it?

Hon. Mr. Wells: Mr. Speaker, the bill is in the form of a draft. It hasn't found its way into the hands of certain groups; it has been shown to teacher and trustee groups. We have had four or five meetings on it and I gave my assurances at the end of the last meeting that we would have another meeting on it. In order to keep my word to those groups, I really am committed not to bring that legislation forward until we have one further meeting to discuss certain points in that bill. I would have to think seriously about bringing it forward at this time because it would break my commitment to these groups that we would have a further meeting.

Mr. I. Deans: (Wentworth): A supplementary question. Is it not possible to table the legislation, after having received the agreement of the groups so that they understand it isn't going to be proceeded with, in order to make sure that everyone in the Legislature and the public at large will also understand the direction in which the government is going?

Mr. Lewis: Do we not deserve equal treatment with the interested parties? Do we not represent the public interest?

Hon. Mr. Wells: Yes, I think so. I guess at these tri-party discussions at the moment the minister is representing the public interest but I would have to think about that.

Mr. Speaker: There have been five supplementaries at this point. The hon. Leader of the Opposition.

DENTURE THERAPISTS

Mr. R. F. Nixon: A question of the Minister of Health. I believe we are on the eve of the deadline he established for the denturists to fall into line with the legislation. It appears from the full page ads that the Denturist Society have taken out that they are not going to change their position. Can the Minister of Health tell us in some detail what his plans are for enforcing the legislation which many people, including myself, feel is unenforceable? Are we going to have mass raids? Are there going to be arrests? Is there going to be confiscation of records and equipment? What does the minister envisage?

Mr. Roy: The minister must hang on to his teeth.

Hon. R. T. Potter (Minister of Health): Mr. Speaker, I am told that as of now there have been something in the vicinity of 150 requests made for application forms for the examinations to be held later this month and the next month. Of course, I won't know until Monday how many of these have been completed and returned. The government position on this particular bill has been stated and it's not the responsibility of the Ministry of Health to enforce any legislation in government.

Mr. R. F. Nixon: A supplementary: Is it the minister's intention not to proceed with his threat, if 100 applications are returned, and that the people would continue to practise in defiance of the law that he has forced through the Legislature, simply because they had signed an application for that course?

Hon. Mr. Potter: I explained earlier in the Legislature, Mr. Speaker, when this same question was asked, that every effort would be made to assist these individuals when they were training for the examinations. I stated at that time and I can only repeat once again today that as far as enforcing the legislation is concerned, that is not my responsibility.

Mr. Deans: Whose is it?

Mr. Roy: A supplementary, Mr. Speaker: If I might ask the Minister of Health, in the light of the fact that the denturists apparently were prepared to take the examination to qualify as denture therapists if impartial observers were present, why did he not make special concessions to this group to fulfil their demands in order to avoid this confrontation? Would he prefer to send them to jail rather than make that particular concession?

Hon. Mr. Potter: Mr. Speaker, I am not prepared to make concessions to any group.

Mr. R. F. Nixon: The minister is not?

Hon. Mr. Potter: If it's a case of being blackmailed into doing any specific thing.

Mr. Roy: The minister is making concessions to the doctors every day.

Hon. Mr. Potter: I am suggesting that—

Mr. T. P. Reid (Rainy River): They are blackmailed by the dentists.

Hon. Mr. Potter: As far as I am concerned, Mr. Speaker, the examinations will be held very carefully, without any prejudice, and I have told them that. If, as they have stated, they are prepared to take the examinations, I am inviting them to do so.

Mr. Lewis: By way of supplementary, is the Minister of Health saying that if it comes to his attention—as it will come to his attention more rapidly than that of any other person in the province—that a number of people are practising against the law, that he bears no responsibility and he will not refer that under his legislation to the appropriate legal authority? Surely the minister will.

Hon. Mr. Potter: I will do what is the responsibility of every member of this Legislature, Mr. Speaker.

Mr. Lewis: What is that?

Hon. Mr. Potter: Any information that is brought to my attention of anyone breaking the law I will bring to the attention—

Mr. Roy: The minister has been sitting on his butt too long.

Hon. Mr. Potter: —of the Minister of Justice, the Attorney General (Mr. Bales).

Mr. Roy: I have a supplementary, Mr. Speaker. I want to ask the minister, cannot he understand the denturists' scepticism in the light of the fact that they are going to be examined at the dental college by dentists and dental technicians? In the light of the history of this particular conflict and of the fact that the dental society pressured the minister into changing his original bill, can he not see fit to make this concession to avoid this confrontation?

An hon. member: What could be more reasonable?

Hon. Mr. Potter: Mr. Speaker, I have already given the assurance that I would do everything possible to see that the examinations were fair, but I was not prepared to grant a concession to say that the denturists themselves would supervise the examinations.

Mr. Roy: In other words, as impartial observers?

Mr. Speaker: The hon. Leader of the Opposition.

Mr. E. R. Good (Waterloo North): Supplementary, Mr. Speaker.

Mr. Speaker: There have been four.

An hon. member: There have been five.

Mr. Speaker: Well, I am being generous today. The hon. Leader of the Opposition.

Mr. R. F. Nixon: I would like to direct a question to the Attorney General in light of the answer given by the Minister of Health. Since the time limit had been set in the House by the Minister of Health for the conforming of the denturists to the law, whose responsibility does he feel it is to enforce the law? Does the Attorney General wait for a request or transference of information from the Ministry of Health, or does he make certain observations himself and see that the law is enforced, or does he recommend to his colleague that he takes a more reasonable stand?

Hon. D. A. Bales (Attorney General): Mr. Speaker, if the charges are laid in reference to that matter, they will be prosecuted in the normal way.

Mr. R. F. Nixon: Supplementary: Who would make the charges under these circumstances?

Hon. Mr. Bales: We would not. It would be up to the individuals or to other persons in the public to lay the charges and we would proceed from there.

Mr. R. F. Nixon: Supplementary: Is there no responsibility for the Minister of Health or in the Ministry of Health in this regard, since the legislation is authored by them and gives them the responsibility for its administration?

Hon. Mr. Bales: If the Minister of Health pursued it, it would be referred to us and we would deal with it.

Mr. M. Cassidy (Ottawa Centre): Don't these two guys ever talk to each other?

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: By way of supplementary, what does the Attorney General mean by he would deal with it? The Minister of Health brings to his attention 10 people violating his statute and he gives him the names and the places; what then does the Attorney General do?

Hon. Mr. Bales: It was made very clear from the very beginning that the Attorney General's office was not going to police this matter.

Mr. Lewis: I am not asking the minister to police it.

Hon. Mr. Bales: If charges are laid or if other matters require investigation, they will be dealt with by the authorities and we will prosecute them in the normal way. We are not here to go out and lay charges ourselves.

Mr. Lewis: The Attorney General is not answering the question.

Mr. R. F. Nixon: Supplementary: Does it require a citizen then to go to the police station and say, "I know that there is a denturist making false teeth" or, "I have read an advertisement in the newspaper where a

person calling himself a denturist is selling false teeth against the law"? Is it not the necessity then that the Attorney General or the Minister of Health or perhaps the Solicitor General (Mr. Yaremko) take some responsibility? Well, then, who? The Attorney General nods. Who takes the responsibility, Mr. Speaker?

Hon. Mr. Bales: Our responsibility is to deal with the charges when they are laid. It is not our responsibility to lay the charges, Mr. Speaker.

Mr. Lewis: With respect, Mr. Speaker, on a supplementary, I don't know whether there is total chaos over there, but the Minister of Health five minutes ago said that any violations of the Act would be brought to this minister's attention as the Attorney General and Minister of Justice, specifically naming the individuals or instances involved. When they are brought to the Attorney General's attention, what will he do, as the chief law officer of the Crown?

Hon. Mr. Bales: We will not be laying the charges within my ministry. I did not hear the answer from my colleague.

Mr. Lewis: I am not asking what the Attorney General won't do.

Hon. Mr. Bales: Just a minute, I didn't hear the answer from my colleague. I came into the House at that point when he began to answer.

If charges are laid, in most instances they will be laid by members of the public or by the police, if that is necessary, and they will be dealt with and prosecuted. Perhaps the Solicitor General would have some part of that through his various forces, but we will not take the responsibility of going out to lay the charges ourselves within my own ministry.

Mr. Lewis: What will the minister do with his information?

Hon. Mr. Bales: This information will be passed on to the appropriate authorities, the police and so on.

Mr. Lewis: The local authorities.

Hon. Mr. Bales: That's right.

Mr. J. R. Breithaupt (Kitchener): The Attorney General does as little about mouth openings as he does about store closings.

Mr. R. F. Nixon: Under the circumstances, Mr. Speaker, I believe the question should be put to the Premier because there does not seem to be a consistency in the answers we have had from the Minister of Health and from the Attorney General. As the boss of the government, the person who must take responsibility for the policy, what is going to happen tomorrow, which is the beginning of the period when the Minister of Health says the denturists must conform to the law? Now what steps are going to be taken either, let's say, to fulfil his grave predictions of charges being laid, or else to withdraw from what I consider to be an untenable position, which may be what he is doing in his rather confused way? What is the policy of the government vis-à-vis denturists and Bill 246?

Hon. W. G. Davis (Premier): Mr. Speaker, I didn't hear the complete answer from the Minister of Health. I certainly will read both answers very carefully and if there is any inconsistency or confusion I'm sure we would be delighted to resolve it for the hon. member for Brant (Mr. R. F. Nixon).

Mr. R. F. Nixon: The denturists are interested too.

Hon. Mr. Davis: I would only say to the members of the House that the Minister of Health and the government have endeavoured, and I think made a very real effort, to seek the co-operation of the denturists. We have been very flexible in our approach. We have desired to see if their wishes and needs can't be—

Mr. Roy: They are not enforcing the law.

Hon. Mr. Davis: —accommodated, but at the same time the public interest has to be maintained. The legislation has gone ahead and of course the law will, of necessity, be enforced. As to the methods and procedures, Mr. Speaker, the Attorney General has already referred to this and I would think that there is no doubt that they will proceed in that fashion. As I say—

Mr. Roy: What fashion? What fashion?

Hon. Mr. Davis: —if I sense any contradictions or inconsistencies I shall assess them and see if I can resolve them in the mind of the member for Brant.

Interjections by hon. members.

Mr. Lewis: Better not answer at all than to answer that way.

Mr. R. F. Nixon: Supplementary: For matters of clarification, I suppose for the

member for Brant, but also for the Minister of Health, the Attorney General, the denturists and the people who are concerned with this, might we assume then that the government is withdrawing, let's say not in disarray, but it is withdrawing to another line, and in fact the policy has not been made definite among the various members of the ministry who must decide on this, as to what steps are going to be taken in the continuing problem of the practice of the denturists in this province, and that it appears that they will be allowed to continue for another few weeks until the government takes what it might call another definitive stand?

Mr. Lewis: Another carefully prepared position. A Maginot line for denturists.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, I think it is fair to state that it is not a question of the government altering its policy. I think it is a question of this government, as we are in all issues, attempting to be as reasonable as possible as we administer the affairs of this province, and that includes the situation as it relates to the denturists.

Mr. Speaker: The hon. member for Scarborough West.

CORRECTION OF U.S. STATEMENT ON ONTARIO ELECTRICITY EXPORTS

Mr. Lewis: Thank you. I have a question for the Minister of Energy. Doubtless he is aware of the statement made last month before the American House subcommittee on Inter-American Affairs by Mr. Julius Katz, Deputy Assistant Secretary of State for International Resources, in which, in a reference to Ontario Hydro, he said: "This company is considering installation of additional hydro-electric generating capacity to produce electrical energy principally for sale in the United States." Would he be kind enough to tell us where he is installing it, or was that already answered?

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, if the hon. leader of the New Democratic Party was here more often he would find out that I drew that matter to the attention of the House on a point of order the day it appeared in the Globe and Mail and set the record straight. I'd be glad to send him a copy of the Hansard.

Interjection by a hon. member.

Mr. R. F. Nixon: It is all right. That happens to a lot of very good people around here.

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): Supplementary, Mr. Speaker: Will the Minister of Energy clarify in the minds of the people of Ontario—

An hon. member: Mind.

Mr. Stokes: —where they intend to develop any further hydro-electric energy resources in the province?

Hon. Mr. McKeough: Mr. Speaker, as I have indicated in the House, that matter is under continuing study. No decisions have been made as to the site of further Hydro installations nor have any decisions been made as to the site of either thermal or nuclear stations in the north. I think that decision-making process will probably take five or 10 years before it is finally resolved, and it will only be resolved after the fullest consultation with the public, with the Ministry of the Environment and others.

Mr. J. F. Foulds (Port Arthur): Supplementary, Mr. Speaker: Is the minister not aware that, in fact, Hydro has made its decision to proceed with a thermal and/or nuclear generating station in northwestern Ontario, that it is considering 11 possible sites and that its decision will be made within the next six months?

Further to that, would the minister not suggest to Hydro that it upgrade its transmission lines between the eastern part of the province and northwestern Ontario, and between northwestern Ontario and Manitoba so that we could have a true cross-Canada power grid instead of tying into the American market so often?

Hon. Mr. McKeough: Mr. Speaker, I am not aware of the first part of the question, and I suspect that the member is entirely wrong.

Mr. Foulds: I got the press release from Hydro the other day.

Hon. Mr. McKeough: With respect to the second part of the question—

Hon. Mr. Davis: It's Manitoba which is exporting; the member's friends in Manitoba.

Mr. Stokes: To Ontario, if the Premier wants to know.

Hon. Mr. Davis: To the United States.

Mr. Stokes: To Ontario.

Mr. Lewis: Would the Premier stop heckling, please?

Hon. Mr. McKeough: On the second part of the question, it is the policy of this government and has been the policy of this government that there be a national power grid. We are continually working to strengthen the grid. I would only say that it would be helpful—

Mr. Lewis: He had me neatly skewered and you fouled it up.

Interjections by hon. members.

Hon. Mr. McKeough: I would only say that it would be helpful if the New Democratic government in Manitoba would be prepared to put a somewhat reasonable price on the power that it would like to sell Ontario. I think that negotiations could be completed very quickly.

Mr. Foulds: The price is quite reasonable.

Mr. Lewis: The Tories are increasingly dependent on the NDP these days.

Hon. Mr. McKeough: They seem increasingly determined to perpetuate some sort of a corporate ripoff on Ontario and we won't take it.

Interjections by hon. members.

Mr. Foulds: Is the minister not aware that Mr. Hal Jackson of Ontario Hydro in a public meeting in Thunder Bay admitted that the price of power from Manitoba was very reasonable and said if Hydro could acquire an assured supply over the next few years it would not need to develop further stations in northwestern Ontario, and that the bar to doing so was not the price of power in Manitoba but the transmission lines between Manitoba and Ontario? Now does the minister know that in his own department?

Mr. Speaker: I believe there was no question there. The hon. member for Scarborough West.

Mr. Stokes: He said, "Was the minister not aware?"

Mr. Foulds: I said, "Is the minister not aware?"

Mr. Speaker: I am sorry, I didn't hear the question.

Mr. Lewis: I want to point out to you that it was a good question and elicited a lot of useful information.

NEW TORONTO AIRPORT

Mr. Lewis: A question of the Provincial Secretary for Resources Development; having been burned once I will try again. Has he, in fact, recently been to the United Kingdom, part of the purpose of which visit was to take a look at additional international airports? Has he any comment on what he might have learned as it applies to the proposed Pickering airport?

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Yes, Mr. Speaker, in response to both questions. With regard to the latter I will report to my colleagues before I report to the hon. member.

Mr. Lewis: When did the minister return?

Hon. Mr. Lawrence: Four days ago.

Mr. Lewis: He hasn't yet spoken to his colleagues, in four days?

Could he report to the House? Could he give us a specific statement at the beginning of next week on this? I think that his information may be very useful in the determination of it, I'm granting that, and I wonder whether he could give us a statement?

Mr. Roy: Let him tell us about his trip anyway.

Hon. Mr. Lawrence: I can say, Mr. Speaker, that the considerations involving the British government and its study of the Maplin proposals for the third London airport, the reaction of the environmentalists and the reaction of the political parties are very interesting in their similarity to those involving the Province of Ontario and the federal government in relation to Pickering. I think it is only appropriate, before reporting to this House, that I have an opportunity of putting together the thoughts and information that were obtained there and presenting them to the Premier and to my colleagues in government.

Mr. Lewis: Okay.

Mr. R. F. Nixon: A supplementary: Is it the thought that although the provincial government has disclaimed all responsibility for the decision to have the airport, the government may make a presentation to the

committee designed to review the decision to build the airport, if and when it meets?

Mr. R. G. Eaton (Middlesex South): What is going to happen to change the federal government's mind?

Hon. Mr. Lawrence: Well, I can't speculate on that, Mr. Speaker. I was there to compare it. I think it was an important comparison to be made between the political implications, the technical implications—

Mr. Lewis: Yes, right.

Hon. Mr. Lawrence: —the communications and transportation implications of their overall battle.

Mr. Lewis: And the lack of necessity of the initial airport.

Hon. Mr. Lawrence: Well, that debate is on in the British House today, as it were.

Mr. Roy: It is? Tell us about it.

Hon. Mr. Lawrence: And its relevance in Canada, not just in Ontario, was what prompted my visit.

Mr. Lewis: Right.

Mr. R. F. Nixon: Supplementary: The information that the minister may bear may be very useful, but since this government has disclaimed all responsibility for the decision to have the airport, how was the decision made that the minister should go? Does this mean that policy is reversed and that, in fact, this government may tell the government in Ottawa that we don't want it, which would mean that it would be stopped dead?

Hon. G. A. Kerr (Provincial Secretary for Justice): We can still have an opinion, can't we?

Mr. R. F. Nixon: Always have to bail them out now.

An hon. member: They don't often do that for them.

Hon. Mr. Lawrence: Again, Mr. Speaker, it is not my job to speak to a question of policy before it has been aired by the Premier or by my colleagues—

Mr. Lewis: But the minister is a policy minister.

Hon. Mr. Lawrence: Right, but the policies are not made—

Interjections by hon. members.

Hon. Mr. Lawrence: —by any minister, policy minister or otherwise, they are made by the government of this province as a group.

Interjections by hon. members.

Mr. R. F. Nixon: Further supplementary: The minister is talking about policy. Is the policy under consideration and may it in fact be changed so that the government of Ontario will say to the government of Canada, "We do not want an international airport here," which I would presume would be tantamount to knocking it on the head, which I think you should do?

Hon. Mr. Lawrence: All I can suggest to the Leader of the Opposition is that he stick around.

Mr. R. F. Ruston (Essex-Kent): We'll be around, don't worry, longer than the minister will be.

Interjections by hon. members.

Mr. Speaker: The hon. member for Scarborough West has a further question.

WEST ST. JAMES TOWN OMB APPEAL

Mr. Lewis: A question of the Attorney General, Mr. Speaker: On the decision to go to cabinet to appeal the OMB decision on West St. James Town, why did he allow the developer six months to make a representation to his ministry and has denied a formal representation to the citizens' group which had only one month after the receipt of the transcript to do so?

Hon. Mr. Bales: No, that's not the case.

Mr. Lewis: With respect, it is.

Hon. Mr. Bales: There is a considerable period of time. The material is all collected and it hasn't been finally dealt with as yet. There was one matter that came to my attention that a person wanted to make another submission; he had since the beginning of November to do so, and he hasn't yet done it.

Mr. Lewis: Well, by way of supplementary: The "person" is the citizens' group and they didn't receive the transcript until early November, and since the minister gave the developer a full six months before the submission was accepted, why has he one rule

for the developer and another rule for the citizens' group?

Hon. Mr. Bales: Mr. Speaker, that is not the case.

Mr. Lewis: Certainly it is.

Hon. Mr. Bales: No, it isn't.

Mr. Lewis: Well, how can you—

Hon. Mr. Bales: Mr. Speaker, in the instance as I know of it, that the member is talking about, all parties are asked to make submissions. In this particular case, the citizens' group made a submission through its solicitor. The solicitor then wanted to make a further submission based on another submission. He has had since early November to do so and hasn't yet done it. He indicated yesterday he wanted to do it sometime next week.

Mr. Lewis: That's right. Will the minister accept it then, since this submission is based on bias in the hearing and they require the transcript?

Hon. Mr. Bales: He hasn't even got it in yet.

Mr. Lewis: Well, would the minister accept it next week?

Hon. Mr. Bales: It depends when it's dealt with by cabinet—when it's all finalized. It hasn't yet been finalized.

Mr. Lewis: No further questions.

Mr. Speaker: The hon. member for St. George (Mrs. Campbell) is first. If she defers, the hon. member for Sarnia.

SCARBOROUGH GENERAL HOSPITAL

Mr. J. E. Bullbrook (Sarnia): Thank you, Mr. Speaker. I have a question of the Minister of Health. In view of the fact that we have now given third reading to Bill 256, would he draw his attention to the article of Dec. 5, 1973, in the Globe and Mail, where the chairman of the Scarborough General Hospital board says as follows:

> At a rare public meeting of the hospital's executive meeting last night, Dr. Miller said he was still unclear as to what Dr. Potter's intent is.

As the minister is aware, the hospital board is going to continue with its appeal to the divisional court in connection with the Schiller matter. Could he undertake to this House that he'll now bring to their attention what his intention was, what his intention is, what the intention of the Legislature is and make them stop expending public funds in this personal vendetta against that man?

Mr. R. F. Nixon: Hear, hear. Smarten him up.

Hon. Mr. Potter: Mr. Speaker, it has already been brought to the attention of the hospital board what our intention was with that particular matter.

Mr. Bullbrook: Thank you, sir, and we appreciate that very much. But in view of the fact that the board is still expressing a manifest dislike for what our intention is, and saying that they don't understand what the minister's intention is, could he please assure us that he will get on the phone, phone Mr. Regan or Dr. Miller and say, "Stop this vendetta; stop going after this man"?

Hon. Mr. Potter: No, I won't get on the phone; we have already done it by phone, Mr. Speaker. I shall send a registered letter.

Interjections by hon. members.

Mr. Speaker: The hon. member for Windsor West.

STRIKE AT HOBART MANUFACTURING

Mr. E. J. Bounsall (Windsor West): A question of the Minister of Labour, Mr. Speaker: Will he or his mediators intervene now in the six-month-long strike between the International Association of Machinists and Hobart Manufacturing in Owen Sound, to see that meaningful bargaining now takes place, inasmuch as the company still won't discuss counter-proposals? The disagreement appears to be in the area of so many disagreements that we've seen in the recent past, simply around an extension of management rights and a change in the anniversary date of the agreement.

Hon. F. Guindon (Minister of Labour): Mr. Speaker, it is the practice, of course, in our ministry to send mediators when the parties are inviting mediation in the dispute. I am not familiar with this particular case. However, I'll find out from my senior staff and if we are invited to participate, we will.

SANDY HAWLEY

Mr. Speaker: The hon. member for Scarborough Centre.

Mr. F. Drea (Scarborough Centre): A question of the Minister of Consumer and Commercial Relations in his capacity as the minister responsible for the Ontario Racing Commission: Can we be assured that when Sandy Hawley breaks the record—

Interjections by hon. members.

Mr. Lewis: The member doesn't want to give him an ODC loan does he?

Mr. Drea: I think he's a very successful Canadian. If the member is ashamed of him, let him say so. When Sandy Hawley breaks the record, either today or tomorrow, for the most wins by a jockey in a single season anywhere on the continent, can we be assured that the Racing Commission and the government will extend appropriate recognition to him—

Mr. Reid: We are all going to go out to the track.

Mr. Drea: —particularly in view of the fact that by his success in his own profession, he has generated thousands of dollars of tax revenue for this government and he has also generated hundreds of jobs in racetracks under the control of the commission.

Mr. Lewis: What about a forgivable loan?

Mr. W. Hodgson (York North): The member makes a joke out of everything.

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, I have been watching with interest the progress of Sandy Hawley and I understand that today or tomorrow is indeed to be a red-letter day in his life. He has contributed a great deal to the sports activities of this province and he has done a great deal in generating revenues for this province, too.

Mr. Roy: What about the horses?

Hon. Mr. Clement: Insofar as the government is concerned, perhaps it will have some form of recognition through the agency of the Ontario Racing Commission to note his achievement when it has been reached. I heard this morning that he has a bottle of champagne on ice—

Mr. C. E. McIlveen (Oshawa): Courtesy of LCBO.

Hon. Mr. Clement: —awaiting that outstanding event. Perhaps each of us in our own way, including my hon. friend from Sarnia, might be able to share that happy moment with Mr. Hawley.

Mr. Speaker: The hon. member for Welland South has a question of urgent public importance.

GUN CONTROL

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker. I wish to direct a question to the Solicitor General. With the recent fatal shooting that occurred in the city of Niagara Falls, will the minister now bring in gun control in the Province of Ontario?

Hon. J. Yaremko (Solicitor General): Mr. Speaker, gun control comes really within the aegis of the federal government and under the provisions of the Criminal Code, but the matter of firearms control is presently still under review.

Mr. Haggerty: A supplementary: Will the minister make a recommendation to the federal authorities on the matter?

Mr. Speaker: The hon. member for Ottawa Centre.

NURSES EMPLOYED BY AGENCIES

Mr. Cassidy: A question of the Minister of Health, Mr. Speaker: Is the minister aware that a number of agencies, many American-controlled, have moved into the temporary help business in providing nurses to Ontario hospitals? Is he aware that nurses employed by these agencies lose at least a third of their salary in overheads and is he aware that as much as $1,000 a year or more is going to these agencies for providing nurses for hospitals? Will he act by issuing a directive to publicly-financed hospitals not to use the services of these agencies which are exploiting nurses?

Hon. Mr. Potter: I am not aware of it, Mr. Speaker. If the hon. member would be kind enough to give me all the information he has, I would be delighted to look into it.

Mr. Cassidy: All right. Would the minister, in fact, agree to an investigation of the activities of these rent-a-nurse agencies in the Province of Ontario?

Interjections by hon. members.

Mr. Speaker: The hon. member for Etobicoke.

GO-STATION AT REXDALE

Mr. L. A. Braithwaite (Etobicoke): I have a question of the Minister of Transportation and Communications. In the light of the fact that north Rexdale is so poorly served by public transportation and in view of the many representations which have been made by the residents of Rexdale, by Metro officials and by TTC officials—

An hon. member: Question.

Mr. Braithwaite: —can the minister now assure this House that the province will underwrite the building of a GO-station in the very near future in Rexdale to serve the area, which has been so badly neglected by public transportation?

Mr. W. Hodgson: In fact, we'll get the member one to Richmond Hill and we'll go to Rexdale next.

Hon. G. R. Carton (Minister of Transportation and Communications): Mr. Speaker, in answer to the hon. member, about a week ago I asked the senior officials in my ministry to undertake immediately a study with respect to this station. It makes good sense to me personally and we're having a very close scrutiny of it.

Mr. Braithwaite: A supplementary: The minister will recall that I brought this matter up in the House some time ago and he has been made aware some months ago of the lack of transportation. I would like to point out to the minister that the winter has come. Would he impress on his officials the need for speed and will he assure this House that this study of which he speaks will be completed in the next couple of weeks so that we can have something concrete before the new year?

Interjections by hon. members.

Mr. Roy: Act with the speed of a GO-train.

Mr. R. F. Nixon: Did the minister say yes?

Mr. Braithwaite: No answer?

Hon. Mr. Carton: Mr. Speaker, as I mentioned, I gave it A priority and it has been under way for a week. I can't make any commitment as to construction because there are many elements concerned in this.

As a matter of fact, from the ministry's point of view, there are other factors to be considered. I recognize that there is a need in this particular area and it makes good sense to me personally, but there are other factors and other arguments. For example, when you're coming from Georgetown, this is a commuter train. It's not an in-train for the Metro people. It's a commuter train and every station that you add on to the commuter train means time lost for those commuters that are coming from Guelph or Georgetown.

Also, there's the matter of capacity. If you are filling the train from Guelph, Georgetown, Brampton, Bramalea and so forth, it makes little sense to have a station at Rexdale. All these factors are being considered. I agree with the hon. member that it makes good sense, but the other factors have to be taken into consideration.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Braithwaite: A further supplementary, Mr. Speaker.

Mr. Speaker: All right. There's one minute remaining, if the hon. member has a supplementary.

Mr. P. D. Lawlor (Lakeshore): You're not going to give him a supplementary? That's incredible.

Mr. Braithwaite: One minute? May I get up? May I ask the minister then to use his good offices with the cabinet to have the cost of the potential GO-train underwritten by the province so that there will be no hold-up?

Mr. Speaker: The hon. member for Lakeshore.

BENEDETTO CASE

Mr. Lawlor: I have a question of the Attorney General. What alteration in the family law of Ontario has he in mind, if any, to correct the situation in the Benedetto case, the case of the child-snatching back and forth between parents?

Hon. Mr. Bales: Mr. Speaker, there has been some misinformation in reference to that matter. The mother in that instance had a habeas corpus order issued in Newfoundland and it was transmitted here. Four of those children were not the children of Mr. Benedetto; only one was.

Mr. Lawlor: A supplementary—

Mr. Speaker: The question period has now been exceeded.

VISITORS

Mr. Ruston: Mr. Speaker, I'd like to introduce 100 pupils from the grade 12 law class of the Belle River District High School.

An hon. member: Law class?

ANSWER TO WRITTEN QUESTION

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before the orders of the day I'd like to table the answer to question 33 standing on the order paper. (See Appendix, page 6751)

Mr. Speaker: Orders of the day.

Clerk of the House: The 19th order, resuming the adjourned debate on the motion for second reading of Bill 265, An Act to amend the Ministry of Treasury, Economics and Intergovernmental Affairs Act, 1972.

MINISTRY OF TREASURY, ECONOMICS AND INTERGOVERNMENTAL AFFAIRS ACT

(concluded)

Mr. A. J. Roy (Ottawa East): Mr. Speaker, I would just like to continue the discussion of Bill 265 and state very clearly the position of our party. We do not quite understand the policy of the government in making the Treasurer (Mr. White) responsible for the formulation of policy with respect to land-use planning in the province. Mr. Speaker, we were led to believe, back in 1971, that there were policy ministries set up in this province—I am glad to see the Resources Development Secretary (Mr. Lawrence) is here. I recall him discussing a question of land-use development back in 1971 and saying at that time this was going to be a very important aspect of his ministry, and that in fact it was going to be, to use his words, sort of a cruncher in the coming years; that is development of land, what people were able to do with land.

In fact I recall the provincial secretary saying at that time in interviews and elsewhere that this was something the government was seriously thinking about. I would think that he, as provincial secretary, would have the strongest objection—not toward the Treasurer, because he is not a bad fellow, and after all if he is overworked, he doesn't have time to listen to comments; but maybe toward the Premier (Mr. Davis)—about the fact that surely the question of land, the question of that kind of policy, which the provincial secretary stated since 1971 should be in his—

Mr. Speaker: Order, please.

There are a large number of private discussions taking place which not only makes it difficult to hear the hon. member who has the floor, but creates a problem in the recording branch of Hansard. I would appreciate it if the hon. members would keep their discussion at a little lower volume.

Mr. Roy: Thank you, Mr. Speaker.

I recall, Mr. Speaker, that surely if we are to understand on this side of the House, and in fact I think on the government side of the House as well, how policy is formulated, if we are to understand what areas, what subject matters are being discussed within policy fields, there surely must be some consistency in where these subject matters are covered and what fields are entered into.

I gave an example, Mr. Speaker, prior to the adjournment of the House for the lunch break, about the fact that I recall another matter that the policy secretary was discussing was the question of energy. When the crunch came on energy they took it away from him and they gave it to the hon. minister. And, he recalls just as well—and I notice him shaking his head; but I recall when the policy was formulated by the Premier in the House on energy and the Premier had snuck out to talk to the cameras, he knew nothing about it at that time.

In fact our chart that reflects where the different policy secretaries are and who is in them, clearly shows the energy minister (Mr. McKeough) out of the secretary's policy group, and there is just a line going toward him. Whether that means that it is just the distance between the provincial secretary and that minister, or whether it is some relationship between himself and that minister, one can't say.

In any event, Mr. Speaker, I recall the remarks of the Provincial Secretary for Resources Development and in fact I have some quotations from him as to how we don't quite understand how the policy works. I recall him saying at that time, and I am quoting from a newspaper

article, Mr. Speaker, back on May 20, 1972, which said: "He says he misses the opportunity to spar with the hon. members across the floor." And I notice here today he has had a chance to go at it again. I trust he will get more experience; he seemed somewhat rusty there for a while, but he will come along, I am sure.

In any event: "He says it is because they haven't been doing their homework"—he suggests that we haven't read these COGP reports—and he goes on to say: "I don't think the opposition has read the COGP report". That's the Committee on Government Productivity.

He goes on to say: "I don't think they have even read the few paragraphs explaining the new structure of government or what the policy minister does."

It might have been right at that time; we might not have read the report. We trust that the government side has read the report. But in any event, we are still trying to understand how policy is formulated and what subject matters are where. The policy secretary went on to say at that time, May 20, 1972, Mr. Speaker:

> I think the questions will start to come forward. I could sit there in the House on any particular day and look at the papers and what's going on, and think of 20 damn good questions that could be pitched at me if the opposition were at grips with what I do.

Mr. B. Newman (Windsor-Walkerville): We'd like one good answer.

Mr. Roy: Well you know we are still looking for 20 damn good questions to ask that minister about what he does. In fact we are still trying to find out what he does. Today we hear, Mr. Speaker, that he is involved in airports. Somebody should tell him that's a federal matter, transportation at that level is a federal matter. It has nothing to do with these people. Now they are into airports; they were talking about land use, they were talking about energy.

In any event he went on to say, Mr. Speaker, and I must read this. He says: "Next year," so that we are talking about this year now, this is when the light shall shine down:

> Next year will be fun politically. The opposition will be onto the structures of policy fields and they will have new ideas to bring into government.

We will have new ideas to bring into government, he said.

> I have a dozen different fundamental matters of principle and policy involving everyone in this province and those are very much in my mind.

He says those are very much on his mind. He goes on to say: "They will be coming out of the pipeline"—and that's ironic when I see the hon. member for Chatham-Kent as the Minister of Energy. However, he said: "They will be coming out of the pipeline within the next month, six months, a year and a half." Mr. Speaker, we are waiting for those ideas to come out of the pipeline, and I would like to ask the provincial secretary why the formulation of policy in respect of land use is not within his policy group. What is it doing within Treasury?

Surely, if there is an ironic situation, it's this mishmash. Housing is under one minister —and it's ironic that it is a part-time job—then there is the Provincial Secretariat for Social Development, Mr. Speaker, policy regarding land use is under another minister. Also within the provincial secretary's responsibility is the question of agriculture, and surely that's a land-related problem that should be in that policy group. Then there is the question of natural resources and the question of the environment.

This whole policy field is disintegrating, Mr. Speaker, and we don't understand it. By the Premier's own admission hindsight is very helpful in this case. Well, the provincial secretary told us a year ago that he was dealing with the question of land. Why isn't it within his policy group?

Mr. Speaker, it is very hard for us—

Mr. W. Newman (Ontario South): On a point of personal privilege, Mr. Speaker, I would just like to announce that Mr. Sandy Hawley has now broken the world's record. He is from my riding. We are very proud of him.

Mr. Speaker: That sounds like a very valid point of privilege.

Mr. Roy: I thought so, Mr. Speaker—

Mr. J. E. Bullbrook (Sarnia): It had better be a privilege.

Mr. Roy: In any event, Mr. Speaker, we on this side of the House are most concerned that policy in relation to land use is being fragmented and that this provincial secretary, who is supposed to have this within the resources field, apparently has nothing to say about it.

What happened over a period of a year? Has the provincial secretary protested to the Premier about the treatment he is being given? I read here from the Toronto Star, dated Nov. 8, 1973:

> Every day, questions about energy crisis are aimed at McKeough and not at [you]. More often than not these days McKeough's name is on the front pages. Bert Lawrence sits further along the government front bench. His bald head glares under the lights, but otherwise he goes unnoticed.

This is further proof, Mr. Speaker, that the policy minister, who should have the input on a question respecting land use, should have this within his policy field.

We do not accept the fragmentation. We feel that the question of housing surely has something to do with this.

Possibly the final irony is that we have the Provincial Secretary for Social Development (Mr. Welch) who is also the Minister of Housing, who should probably be within this particular policy group. This demonstrates the absolute contradiction and inconsistency of policy.

Mr. Speaker, we have also been asked this year to vote $389,000 for the hon. policy minister. What for? We are wasting the taxpayers' money here. Why are we voting this money? What does he do?

Mr. R. Haggerty (Welland South): He spends more time in the air—

Mr. Bullbrook: He won't be in existence next year. He knows that.

Mr. Roy: Mr. Speaker, I don't know how he is doing it, but if it is the Premier's intention to phase out the policy ministries, he should say so right now and we should go back to the previous setup. If the Treasurer or the Minister of Municipal Affairs is to have the responsibility for land-use policy, he should say so.

Mr. Speaker, it is very difficult for us on the opposition side to follow the whole question of one subject when it jumps from one policy field to another, and we feel it is inconsistent.

Thank you, Mr. Speaker.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Mr. Speaker, might I briefly reply as to the relevance to the question—

Mr. Speaker: Well, the usual procedure on second reading is to hear all members before—

Hon. Mr. Lawrence: Pardon?

Mr. Speaker: The procedure on second reading or approval of principle—

Hon. Mr. Lawrence: I'm not introducing this bill. I'm really rising in my capacity as a—

Mr. Roy: That's right. It is not his bill.

Mr. M. Cassidy (Ottawa Centre): It's the Treasurer's bill.

Mr. S. Lewis (Scarborough West): Mr. Speaker, this is an unprecedented moment; another minister is entering the debate.

Mr. P. D. Lawlor (Lakeshore): Good.

Mr. Speaker: I don't see a thing wrong with it.

Mr. Lawlor: Nor do I. Go ahead.

Hon. Mr. Lawrence:. I will be brief, because I don't think this is the time or the place to go into an apologia for, or an interpretation of, the operation of COGP. I would say quite categorically that there is no inconsistency between the presentation of the legislation by TEIGA — Treasury, Economics and Intergovernmental Affairs — of the fundamental planning concepts that relate to land-use control in this province and the fact, believe it or not, that for nearly two years the Minister of Agriculture and Food (Mr. Stewart), the Minister of Natural Resources (Mr. Bernier), the Minister of the Environment (Mr. Auld), virtually all of the ministers in this particular policy field have been totally and deeply involved. The preparation of the groundwork, its practicality, its essential application in reality to land use as it exists and affects, obviously, each of the ministers in my field, has been the basis upon which all the planning decisions had to be made and the distillation of those decisions into the planning legislation that we are dealing with has taken place.

Mr. Roy: That's inconsistent.

Hon. Mr. Lawrence: The involvement has been total. There has been no way in which the minister—

Mr. Bullbrook: The administration does not come within the policy field.

Hon. Mr. Lawrence: That's right. The planning does.

Mr. Bullbrook: The policy doesn't come under the provincial secretary. Neither does—

Hon. Mr. Lawrence: All right, how about labour? The member knows perfectly well—

Mr. Bullbrook: Labour has nothing to do with land use.

Hon. Mr. Lawrence: The member is talking against the purpose, because if there is one thing that COGP did say it is that we need a greater integration of the roles of different departments.

Mr. Bullbrook: COGP is tommy rot and the minister won't be in business next year.

Hon. Mr. Lawrence: I would say to the member for Ottawa Centre that one of the key principles of the COG was that we need more integration.

Mr. Roy: But we don't have it though.

Hon. Mr. Lawrence: We do indeed. I can categorically avow that in the preparation for the planning bills that have been coming forward in a great number this particular session there has not, in my opinion, been one that I can name that hasn't been worked over in totality by the ministers, the Minister of Agriculture and Food, the Minister of the Environment, Natural Resources, Transportation and Communications (Mr. Carton), and Industry and Tourism (Mr. Bennett). Obviously, and that is what the integration is about, that is why we work hand in glove and very well, surprisingly, with the minister who happens to be introducing the particular legislation.

Mr. Bullbrook: But we don't need a policy secretary. It is obvious that we don't need one.

Hon. Mr. Lawrence: Is the member suggesting that we go back to the old system? Even the federal government in Ottawa wouldn't go back to it.

Mr. Bullbrook: If the ministers co-operate as they do, yes, go back to it and save $300,000.

Hon. Mr. Lawrence: I would categorically suggest there is no government in Canada, including the federal government, that isn't trying to synthesize its operations by a cabinet committee system. The same problems are being faced in England—

Mr. Roy: Right, but we don't need a policy secretary.

Hon. Mr. Lawrence: Members can call the job whatever they like, but I tell them categorically, having seen two different administrations in my brief years in the executive council, that there is no way in which we would ever go back—or the members opposite would ever go back if they had power—to the old system of 20-odd ministries operating independently.

Mr. Bullbrook: I wonder, would the secretary permit one simple question? Taking his position as valid, that the secretariats have a purpose, could be explain to me, notwithstanding the governmental liaison that goes on, how he rationalizes having the administration of land use under the Provincial Secretary for Social Development and the policy development for land use under the Treasurer of Ontario, when the Provincial Secretary for Resources Development is responsible for resources in this province and the policies concurrent therewith?

Hon. Mr. Lawrence: All I can say, and I think the hon. member really knows this, as a politician speaking to his own voters, speaking to the people on the streets and highways and byways in his own riding, one can't take a citizen of this province and slice him up neatly—

Mrs. M. Campbell (St. George): But they do it.

Hon. Mr. Lawrence: —and say that either he is a worker, and does that mean he is a resource, or he is not working, does that mean he's a social problem, or because he is going to school, he is an educable—

Mr. Roy: That's right. He is proving our point. Keep making our point.

Hon. Mr. Lawrence: One cannot take these things and separate them.

Mrs. Campbell: But he is doing it.

Mr. Roy: We agree with him. That is why we don't need policy ministers.

Hon. Mr. Lawrence: I would say that some members are about 20 years behind the times. You won't find a government in Canada or in the British parliamentary system that isn't working toward the kind of reforms that we have been involved in.

Now I'll take another one. The member mentioned energy; obviously that's within

this policy field. What is he quarrelling about there?

Mr. Roy: It is out of the minister's field according to the chart.

Hon. Mr. Lawrence: No, it is not. The Ministry of Energy is part of my policy field. The minister meets with us and obviously the problems he's concerned with apply to the environment. They apply to natural resources. They apply to industry. They apply to labour even; so obviously he finds a proper and logical place within this policy field.

Now, I will give the House the two tough examples which explain why the government cannot chop up a citizen, chop up a voter, or chop up the question of resource policy so easily. The member has mentioned housing. Housing obviously has three different facets: The land it's on—

Mr. Roy: Right.

Hon. Mr. Lawrence: Okay—the people who are in it; and the industry that builds it, either government-owned or privately developed. All right, now, I will give the member another example; labour. Is labour a commodity in the resources sense—

Mr. Roy: We are not discussing labour. Labour isn't a policy.

Hon. Mr. Lawrence: No, no. This is an example of why you simply cannot neatly chop up people in the way the member is trying to suggest. The same ideas you use with regard to housing and the fact that it potentially overlays at least two policy fields, you can apply to the Ministry of Labour. So I would suggest that instead of abandoning the question of the policy field system, instead of attacking the system under which we have planning in the Treasurer's ministry and application to a degree in this policy field; instead of abandoning that and going back to 21 individual and independent ministries, that the member realize that there are going to be overlays. And we can argue forever whether such areas as housing or labour should be in one field or another.

Mr. Speaker: The hon. member for Lakeshore is next.

Mr. Roy: May I ask one question?

Mr. Speaker: The hon. member for Ottawa East has had his opportunity to speak. The exchange which I permitted was out of order. I think we should restrict it to each member having an opportunity to speak.

Mr. Lawlor: Hear, hear, Mr. Speaker. I am on your side today.

I do find what the hon. minister has to say in the area of this particular ministry, that is TEIGA, simply not applicable. It is not just the job of interconsultant. I would suspect that the boys around the dinner table of the cabinet might just speak to one another on occasion and reach a degree of integration. I didn't think that took place much before. I think the policy ministry has a role in bringing them together, but I am concerned about this ministry and its omnivorous talent for absorbing.

I don't think, Mr. Speaker, the member for Chatham-Kent had the competence, the range of mind or the depth of penetration to do what he pretended to do in this particular area. He took it onto himself as a sort of megalomania, bringing unto himself all kinds of powers and dispositions and being the focus of this whole government, just as the present minister has inherited that mantle. But the mantle is much too big for the man in any particular case.

And when the government sets up a Ministry of Housing, it seems to me that it would be a perfectly legitimate function—considering particularly what the Treasurer of this province is about to face in terms of economic recession, in terms of the horrendous difficulties as an economics minister, as such. He is going to have his hands full in the immediate future within the next six months, beginning some time about April, with recession on a scale that we have never seen for a long time in my opinion, with ongoing inflation at the same time.

But whether that's true in the future or not, the fact is that de facto, now and as it was in the past, this ministry is a palladium which contained many mansions, some corners of which the minister never begins to penetrate. He simply hasn't got the hours of the day—nor has any man for that matter. I am not attacking any personality at all. Nor has any man for that matter that skill and capacity to encompass all the areas in which he is presently involved. Therefore that would have been a very wise thing indeed with respect to planning.

Have members seen the next bill coming up, Bill 128? Have members seen what they had to do to emasculate the first section of that bill, switching back and forth from the Minister of Housing, substituting his name in section 1; and then making it perfectly clear within the confines of that very section, in subsections thereof, that the Treas-

urer must nevertheless maintain the overall authority and power so that while some things are arrogated over to the Ministry of Housing, the residual power or the encompassing power continues to reside in the Treasurer of Ontario.

You know, Mr. Speaker, the grizzly bear hugs his cubs to his breast. It isn't enough to alter the Bill 128 coming up, in order to make his power resplendent and to embed it; but just in case there were any simulacrum of a doubt about the thing at all, he passes a special statute, a special bill is before us, saying that no matter what the legislation is or the whys and wherefors, or whatever sections may seem to be called into question in any other legislation of this province, the Treasurer is responsible for the formulation of policy with respect to land-use planning for the province.

I say that that's intricate stuff; it is highly detailed stuff. Every area and every inch of the province has to be gone over with a fine-tooth comb. Land-use zoning; the various kinds of official plans.

I see that the government passed an official plan in the last two or three days in some municipality which apparently defied them and refused to pass its own plan; and they imposed it, they imposed it from above.

I would do the same thing in their place, there is no question about that. They simply have to be, these plans; but I don't think the Treasurer's ministry is the ministry that should be responsible, particularly when we have set up a ministry having directly and pertinently to do with land use and with planning; and that would be properly the disposition of the Minister of Housing as things stand, and was properly the job of the Minister of Municipal Affairs before his absorption into the maw.

The Treasurer is the maw. He picked up numerous areas of everybody else's ministry and became, on his own hook, a kind of superminister. But a superminister with a job to do, not like many of the others; and one which I think must be overwhelming in its implications from day to day.

The Treasurer may, with a stoic disregard or Herculean smile, say: "Oh no, give me the work. I'm the kind of heroic figure that can bear, like Atlas, the world on his shoulders. You can test my mettle any day of the week."

That's certainly the tenor and the disposition of the men who have thus far occupied this post. This is their state of mind. But I say again that the Treasurer will be fully occupied, and should be presently fully occupied; and on the grasp of economic theory that he displayed in this House in the past week or so, he should be, oh he should be to a plus degree, highly occupied in really working on a bit of economics; because his job, really, is cut out for him in the next little period of time and he should use all his concentrated powers of intelligence, and whatever little knowledge he can garner from Heilbroner or anybody else now that Macdonald's gone.

That will fully preoccupy him; land-use planning will be a burr in his side and he should speak to his Premier and ask him to take it away from him and give him time to concentrate on problems that are emergent and of critical importance, and of such a degree that land-use planning fades into some distance.

That's the way I see the situation developing in the province at the present time; and as to the defence we have just heard of the COGP, they are wrong under the particular head of this ministry, and they didn't sufficiently scalpel it and divide up its contents and give the minister the proper job. And it's just another area in which Mr. Cronyn failed.

Mr. Speaker: Anything further?

Mrs. Campbell: Yes, I have something. As I read this proposed legislation it distressed me that perhaps although no one will listen, perhaps somebody sometimes will pick up later what has been said here today. For that reason I would like to draw a word picture of what this particular legislation seems to me to purport.

This government is becoming like a giant spider, weaving its web with costly and gossamer thread, supplied by such as Fidinam and others and shaped in accordance with the public relations orientated group and those experts which advise the government as to policy from their expert position without any possible practical understanding of the problems of the province. And caught in this web are the taxpayers themselves.

Surely what is being proposed here is quite clear. That is, that the already overworked, overburdened minister is in fact not going to have either the time or the opportunity to review. The matter is coming before him and he will rely, as he has so obviously relied in this session and the last, on advisers who are not fixed with a responsibility to know or to understand at first hand the practical application of this particular function.

If you analyse what we have before us with this ministry, we have the responsibility for fiscal policy, and surely in the days facing us that is going to be a very major and critical issue if matters continue in the way in which they are now going. There is the responsibility for the economic planning, which is not the same thing. There is responsibility for this interchange, intergovernmental affairs, which has to be a very difficult and time-consuming function. And then we add the land-use planning on top of it.

The provincial secretary, who spoke so heatedly about the reforms of this government, addressed himself to the fact that you cannot divide one person into many parts. That, of course, is precisely what this government has done, and they have placed those parts clearly out of context with the needs of the people of the province.

Surely it was no great reform to take that awkward function of assessment and divide it into five unrelated ministries—and that is a reform? Now we have here the total planning in the hands of one—and I'm not speaking of him as a person, I'm speaking of his function—one who has made mistakes in connection with controls we hoped he had imposed and which haven't been imposed. These mistakes will occur and do occur if one is overworked and overburdened. We then become either a yes-man to the recommendations of those unresponsive and unresponsible to the electorate or we will make serious mistakes in an overloaded ministry.

These things, Mr. Speaker, have been said before by others who have spoken but I, for one, would not be willing to sit idly by without a word of caution. Certainly housing must require a close look at land-use planning. Certainly housing, for another thing, must have more input into this whole realm of discussion with municipal governments. Yet we segregate these things.

As a result the taxpayers across this province today may start out with one problem which to them looks to be simple, and they find they get bits and pieces of answers from many ministers, unrelated in their separate galaxies. This is one more example of this kind of bad thinking if, in fact, what the minister is trying to do is to serve the people of this province. If, however, he simply wishes to mask his responsibility so that no one will know to whom to go with their problem then, of course, he is being tremendously effective.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): No.

Mrs. Campbell: I would hope that he would consider what the effect of this will be on all of those people of this province who, as of now, are worn out trying to find answers to questions which cannot be answered by one single minister at this point.

When planning gets into this confusion, along with assessment being in this confusion, I am warning the minister that there will be a very difficult time for this government in trying to make the people of this province appreciate—if it feels it can—what is, in fact, the intent. As of now, those with whom I speak, are very clearly of the opinion that all of this is being done so that no one takes any responsibility for decisions affecting them. Thank you, Mr. Speaker.

Mr. Lewis: Mr. Speaker, I am driven to participate simply by your presence alone. I can think of no more—

I have been listening to this debate and I am not sure what all the fuss is about. I understand much of the thrust of what is being said but I also presume that the government has to concentrate its planning power of this kind in the ministry with the greatest overall power. That is clearly this minister and clearly this ministry and in that sense there seems to be a pretty compelling logic to this little four-line bill.

I think what is being expressed here by a number of members is the sense of frustration around the way in which the government is organized and the competitive jurisdictional overlaps; the sense that this minister heads a ministry which is a little too large; the sense which my colleague from Ottawa Centre and others have very strongly that there should be a Ministry of Housing and Urban Affairs for whom land-use planning would be central, and for whom that kind of authority would, maybe, be more appropriate were it to be established. Under present circumstances, I suppose we have little alternative but to have it reside here at the sort of centre, the heartbeat of government, which is unquestionably this ministry.

I don't know whether that will be true six weeks from now when the cabinet shuffle is over. I don't know what will have happened to TEIGA and to the Treasurer. I worry about him. I think he should remain in the cabinet; I even think he should run again. As a matter of fact, I think he should come and run in Scarborough West because then I

would have an excuse to stay home, to bait him on the public platform rather than travel around Ontario and I would rather enjoy that. Since he is frivolous about his future political career anyway, I invite him to take the Tory nomination in Scarborough West, where he could be retired with dignity.

Hon. Mr. White: Don't tempt me.

Mr. Lewis: I won't tempt him, and I am certainly not coming to London South, I'll tell you.

Interjections by hon. members.

Mr. Lewis: I really do feel that we are heading towards a redistribution of power, which I hope the cabinet shuffle will demonstrate, but in this bill, as it now stands, given the nature of land-use planning in Ontario, there has to be a source of authority somewhere, and since the government will not create certain other ministerial prerogatives, which we would encourage them to create, this seems to be the place for it, and that's why we support it.

How is that for brevity?

Mr. I. Deans (Wentworth): He has talked the Treasurer out of running in Scarborough West.

An hon. member: Okay, let's go.

Mr. D. R. Irvine (Grenville-Dundas): Mr. Speaker, is there no other member wishing to participate?

Mr. M. Gaunt (Huron-Bruce): Go ahead.

Mr. Irvine: Well, Mr. Speaker, I am delighted to say a few words on this particular subject, especially following the member for Scarborough West, who finally has brought some light into this House. I have listened to many remarks, most of them repetitious, remarks that were not related whatsoever to the manner in which this ministry has been functioning in the past—

Mr. Lawlor: Never repetitious; always creative, always new.

Mr. Irvine: —and I am very much pleased that the member for Scarborough West has acknowledged the fact that there is a great deal of sense in doing what we are proposing in this particular amendment, by making sure that there is someone who is responsive—

Mr. Lewis: Well, on a point of personal privilege, Mr. Speaker, I will not have my integrity impugned—

Interjections by hon. members.

Mr. Lewis: I withdraw; physically I withdraw.

An hon. member: Sit down.

Mr. Bullbrook: He can't stand the heat.

Interjections by hon. members.

An hon. member: He is out of order.

Mr. Irvine: Don't leave us now. Does the member have to do something? Will he come back?

Mr. Lewis: Yes.

Mr. Irvine: Thank you. We are making sure, Mr. Speaker, that there is someone directly responsible for the overall planning and land-use policies for this particular province, who will co-ordinate the policies of this province.

In the past we have shown that this government is very much concerned about land-use policy. We recently proposed an amendment to the Planning Act which, if it's passed in the next few days, will transfer certain powers from this ministry to the Ministry of Housing, and those powers will deal directly with local issues. The Minister of Housing will be relating directly to the municipalities concerned.

But on the overall issue we must make sure that not only the Ministry of Housing but also the ministries of Natural Resources, Agriculture and Food, Transportation and Communications and indeed the Provincial Secretariat for Resources Development — all the related ministries and all those who are responsible for land use—are able to contribute to the overall policy and able to see that their views are implemented by one person.

This is why the Treasurer has been given this responsibility, and as far as I am concerned, Mr. Speaker, I am very much aware that this particular policy rests with this particular ministry, and will be in force in the future to the advantage of all the people of this great province.

With those few words I will sit down.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

GAME AND FISH ACT

Hon. Mr. Bernier moves second reading of Bill 270, An Act to amend the Game and Fish Act.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, I don't think we'll divide the House on this.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

Mr. Bullbrook: Good government does get support.

ONTARIO MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM ACT

Hon. Mr. White moves second reading of Bill 243, An Act to amend the Ontario Municipal Employees' Retirement System Act.

Mr. J. R. Breithaupt (Kitchener): I think there are a couple of comments which should be made with respect to this bill. The employees of municipalities and local boards, who are now becoming employees under contract to the province, will continue to benefit from the kinds of contributions that they have benefited from in the past.

I think this is most worthwhile legislation, especially as more and more persons are fitting into this position as they become seconded from their own municipalities to work for the provincial authorities for a period of time. The matter dealt with in section 2, clarifies a reference which I think will be appreciated, particularly by the member for St. George; it is a worthwhile one and one which is long overdue.

The third matter that this bill deals with, of course, is one which was discussed at some great length during the question period and during various other procedures in the House, and that is the conversion of $154 million of debentures due Dec. 31, 1973.

We have referred to this matter before, at some great length, especially as the rates of return, payable back to the persons who have invested their pension moneys, have been increased over these past few years. It certainly seemed to us that the length of time, the commitment of time for these debentures, at a low interest rate, was not dealing fairly with the people who have put their moneys into pension funds of the province.

The Treasurer is most proud of the fact that this government has not had to borrow from the public market. But let us not think for a moment that this government is not borrowing funds in order to continue its activities. The funds, in fact, are coming from the pension funds which are available to the province.

The Ontario Municipal Employees' Retirement System is only one. The teachers, of course, also provide a large amount of money. We have obviously many funds available to us as our share under the Canada Pension Plan. And when these funds are all added up, we find that we have many millions of dollars with which we are able to deal; which, of course, saves this government from going into the open market.

I think the first step that has been made now to increase the rates on these funds goes a long way to resolving the obvious inequity with which the pensioners and future pensioners, who are now making contributions, would have been dealt. Certainly the increase to 8.19 per cent, as the top range, is something which must be welcomed. I think as well the decrease of the length of term from 26 to 20 years, is something that should be encouraged because of the tendency to tie funds to a lengthy term when the future of interest rate is somewhat uncertain. Whether this is only the first step or not, Mr. Speaker, time will tell.

We think on this side of the House that the pension fund returns of municipal employees and teachers and others who have their funds on account with this government, must be assured of the highest possible return, consistent with fair play of course. We are not expecting to bribe them with their own money; that has been done well, and been done for years on some other occasions—not only in this province but at other levels of government.

What we are concerned with is to make sure our pensioners receive a fair return, commensurate with the type of return they could obtain if they were to invest funds on their own; and possibly even a little better than that. I say better than that because it may well be that as the government in its operation is not required to go into the public market because of this availability of funds, we should possibly be prepared to pay a slight bonus to the people who are investing their pension funds, as they are

saving us the commitment and involvement of entering into the market.

Pension funds are, in effect, a great source of revenue, for this government, because the moneys which are received do not have to be obtained elsewhere. This cuts down the whole cost of operating government, or at least it should do. If we are assured that the pensioners are receiving a fair return, and as the funds set aside here from 1963 to 1969, in the third section of this bill, are built up with not only an immediate interest change but a longer term, higher, increased interest rate, I think the pensioners will come a long step closer to being properly dealt with.

Mr. Speaker: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Speaker, in going through the Hansard debates for the past couple of years, I find the OMERS pension fund has been an old chestnut that has been kicking around. There's a large body of people who are concerned with this. I have the OMERS report here for 1972 in my hand, and I see that it entails a large body of people who are contributing and expect this fund to deliver them a reasonable and just pension at the time that they might come up for retirement.

I think I would like to impress upon the House that we are dealing here not just with dollars, but we are dealing with deferred wages, the deferred wages of municipal employees, school board employees, hydro-electric commission employees and employees of various other local boards and commissions. I see that at the end of the year 1972, there were 77,258 people involved, employees who have been paying into the fund since 1963 when the fund was first instituted.

The Ontario Municipal Employees' Retirement System fund is different from the other pension plans and other pension funds which we know in the government service. I'd like to impress upon the House that by legislation the fund has to be actuarially sound in that the Province of Ontario accepts no responsibility whatsoever for payment of benefits to the people who are concerned with it. This sole responsibility lies with the employees of the municipality, the boards and commissions, or the municipalities concerned. Each of these contributors pay on an equal basis depending on their category. The usual contribution is five per cent of earnings on the account of an employee and a matched contribution by the municipality or board or commission concerned.

This is why we have to be concerned about the rate of return which has been coming into the fund. There have been many people looking at this problem in the past. I would like to recognize that the minister has in past statements in this House and outside the House indicated that there is recognition that the fund in the past has not been treated properly and that certain amendments were necessary in order to meet the requirements of the fund.

The bill itself provides for an adjustment in the rate of interest which may be paid on those funds which were collected for the period of time 1963 through to 1969. Unfortunately, the minister has not seen fit to take the advice or the recommendations, of those people concerned, or take into consideration the concerns that they felt. I don't know why he has not seen fit to recognize that these people are so closely concerned, namely, the municipal bodies, the associations of municipal bodies, the unions concerned and individuals in the fund. Just as recently as Nov. 19, a report appeared in the Sudbury Star of that date, datelined Toronto. I will quote from it Mr. Speaker:

> The Association of Municipalities of Ontario called on the province during the weekend to reinvest $154 million in provincial debentures held by the Ontario Municipal Employees' Retirement System at higher yielding interest rates to improve pension benefits. The association said that participants in the system should not be required to subsidize the province with lower interest rates on pension funds.

I think this is precisely what we are talking about today. The fact that municipal employees have, in fact, been subsidizing the borrowing of the Province of Ontario since 1963 and that they are concerned that this should not continue.

There are various other people who are concerned with the fund. I make reference to the interim recommendations on municipal fiscal reform of the Association of Counties and Regions of Ontario. There is a large group of people represented in this association and their recommendation No. 14 with regard to OMERS funds is:

> We recommend the establishment of a pool of funds for use of municipalities, by the province, which would be similar to that currently available to district boards of education. One obvious way to establish such a fund would be the use of moneys in the Ontario Municipal Employees' Retirement System. OMERS funds

emanate entirely from local government sources, being the contribution of municipal employees and their employers, the municipal corporations.

From the 1971 OMERS annual report we learn that the annual contributions are now $60 million, a steady increase being shown since 1963 when the annual contributions amounted to $5 million.

The total assets at the end of 1971 stand at $292.8 million and investments total $286.6 million. That gives us almost $500 million which I believe should also be made available to the municipalities who are responsible for pooling these funds.

The minister in the past has stated he was taking into consideration that the municipalities should have access to the funds. In his statement on public finance, which was just issued recently, on page 10 the minister indicated:

To encourage municipalities to make greater use of their credit, Ontario is considering releasing some portion of the pension funds generated by the Ontario Municipal Employees' Retirement System.

Unfortunately, Mr. Speaker, he has not seen fit to introduce this amendment into the bill which is before us. I think for that reason the bill is deficient. He certainly has not made any case why this could not be accomplished and I would be pleased to hear what the minister has to say about that.

Did he make this statement? I think it was in Edmonton that he delivered this report on public finance. Was he serious or was he just pulling the wool over the eyes of those people who, in the municipalities, are concerned about their borrowing rates?

I am sure he is aware of the difficulties that certain municipalities have from time to time in finding the necessary moneys in order to finance their spending.

There is a further group involved, Mr. Speaker, the Canadian Union of Public Employees which, I guess you are aware, is the union into which most municipal employees have been organized. I have here a letter dated Dec. 5, 1973, addressed to the Hon. John White, Treasurer of Ontario, and it includes a resolution passed by the Canadian Union of Public Employees. I don't know whether the minister has seen that as yet; it is quite a recent letter.

Hon. Mr. White: What date is that?

Mr. Germa: This is Dec. 5, 1973. I will not read the 'whereas' paragraphs; there are four of them which go through the whole story about the $154 million we are talking about from the years 1963 to 1969, but I will read the 'resolved' portion so that the minister will have some idea of how the employees—these are the people who contribute wages into the fund—feel about it.

Therefore, be it resolved that the debentures for the period 1963 to 1969 be replaced by one new debenture on Dec. 31, 1973, at the long-term provincial average rate for 1973 and this debenture be for a term of 20 years but not exceeding 25 years; and be it further resolved that the OMERS fund be compensated for the years 1963 to 1967 inclusive the difference between the weighted average yield to maturity of debentures issued or guaranteed by the Province of Ontario each year and the five per cent, and for the years 1968 and 1969 inclusive the difference between the weighted average yield to maturity of debentures issued or guaranteed by the Province of Ontario in each year and the 6½ per cent.

This is the bone of contention, Mr. Speaker —at what rate of interest is this money going to be reinvested on Dec. 31, 1973, at which time by legislation new debentures should be issued? It states in legislation that the debentures do become due and payable, and there seems to be some confusion regarding what "due and payable" means. I take the simple interpretation that the debentures have expired, new debentures will be issued and I see no reason to go back to a rate of interest which applied in 1963. So the minister and the government are not meeting the demands of these various groups.

I also have information from the Ontario Municipal Personnel Association, which body is quite concerned with the fund because it in some degree has to answer to the municipal employees. These are the people on the firing line. They have made a calculation that if this $154 million which was collected from 1963 to 1969 is not invested at the current average rate, even as it was applicable in 1972, there would be a shortfall to the fund over a 40-year period of $454 million. Of course this calculation was made before the government's intention to make a certain fiscal adjustment to overcome this $454 million shortfall to the fund was known.

I recognize that the ministry, by these amendments in the bill, is going to make an adjustment in the amount of $280 million. So that tells me there will still be a

shortfall in the area of about $174 million in the present scheme of things as indicated in the bill.

I would like the minister to comment on that; that the municipalities and their employees are still being called upon to subsidize the Province of Ontario to the tune of $174 million over the next 30 years.

Also, the terms of the bonds are not in line with other government borrowings in that they are insisting, by the wording in the Act, that the bonds are still for a 30-year term. In fact, those bonds which were issued in 1969 will not fall due until 1999, which will in fact be another 26 years. In all of these resolutions from all the various bodies which are concerned, they would choose to be treated just like any other borrower that the Province of Ontario has. Just because this happens to be a captive fund I think it should not be treated in the manner that it is, because there is only one reason for the fund to be in existence and its prime purpose is to supply a pension to the people concerned.

It has been stated here that the benefits which are being paid are not inhibited by the rate of interest which accrues to the fund, but I would suggest, Mr. Speaker, that the board in its wisdom, when deciding by regulation what the rate of benefits is to be, must take into consideration the actuarial soundness of the fund. It seems to me that the more money that is in the fund, the more interest which is accruing to the fund, the more lenient they can be in their determination of benefits. I cannot accept the statement that the rate of interest has no consideration on the benefits prescribed.

I hope the minister will take this argument seriously. I propose to make an amendment, Mr. Speaker, when the bill goes to the committee and maybe we will get further answers at that moment.

Mr. Haggerty: I wanted to ask the minister a question, but apparently he's not available.

Mr. Speaker: I believe the minister's parliamentary assistant (Mr. Irvine) will be dealing with the bill.

Mr. Haggerty: Thank you, Mr. Speaker, I'll address my question to the parliamentary assistant. Is there any provision in any of the sections of the Act here that will provide assistance to those employees in OMERS who have to take an early retirement at the age of 60?

Mr. Speaker: I should indicate to the hon. member that the minister was in the House and he had left. He is back now and will be dealing with it.

Mr. Haggerty: Well, who is going to handle it?

Hon. Mr. White: Mr. Speaker, I was just checking with the House leader to see if it wouldn't be wise to move into the committee stage immediately after this debate on second reading. That would enable me to answer the questions that have been posed by members of the opposition and we would have avaible to us a couple of experts for questions such as the one just asked now. So we can confine ourselves now to second reading, the debate on principle, and we'll move right into committee afterwards.

Mr. E. R. Good (Wellington North): Is the member for Welland South finished? Mr. Speaker, I have a few comments and a few questions that I would like to direct to the minister on second reading. Perhaps if the questions are asked during second reading they could be answered during committee.

I'm sorry, is it the minister's wish that things be asked in committee?

Mr. Speaker: I think the hon. members may debate the principle of the bill briefly at this time and specific questions relating to any section could be directed to the minister during the committee stage. But second-reading debate is perfectly in order at this time.

Mr. Good: Thank you, Mr. Speaker. The principle involved here is that they are upgrading the interest rate in terms of the length of the debentures of $154 million invested by OMERS.

Before talking about that, I would like to draw the attention of the minister to cases that have existed of certain employees, and this is dealt with in the principle of the first section of the bill, who have had their pensions, you might say, kicked back and forth from the Public Service Superannuation Fund when they were employees of the province, into the Ontario Municipal Employees' Retirement System when they became employees of a municipality.

I talk basically of people who had been employed first by the municipality of Kitchener-Waterloo and were covered by OMERS, and then when the Ministry of the Environment took over the sewage disposal plant their pension plans were transferred into the

Public Service Superannuation Fund. Now there is talk of the regional government taking them back again and they'll be brought back under OMERS.

I'm just wondering, and there was considerable apprehension on the part of the employees, whether their benefits are going to be equal or whether they are going to lose anything by having their pensions transferred back and forth from one department of the provincial government to the OMERS fund of the municipal government.

Certainly we all agree there had to be some updating in the interest payments that were being made into the OMERS fund by the province, when we consider that the province now has about $1 billion at its disposal for borrowing purposes without having to go to the public money market at all. The OMERS fund, of course, contributes a considerable amount towards this $1 billion that's available to the province.

In the statement made by the minister back about a month or five weeks ago, he stated that for the addition of $8.1 million, the effective interest rate would be about 8½ per cent. That would show in the yield on these various investments that were going to be refinanced at this time in December.

Now, I notice by the bill, Mr. Speaker, that the province, according to the explanatory notes, is in fact going to put in $9,045,170 rather than the $8.1 million that was mentioned in the minister's statement of five weeks ago.

My question is: Will this result in a larger effective interest rate on these investments? If so, that is fine. And then I would like to ask the minister why all this legislation is necessary. Is it that this $154 million is coming up automatically for reinvestment; and if it is, why would it not come under the legislation that we passed a year ago, tying the interest rate exactly to the government's borrowing rate?

Is the $9 million to be added required to make up for back interest, or is this to bring it up to par to keep it at its old rate of interest but bring it up to the effective borrowing rate? It seems like a complicated procedure to me unless we were tied to those low rates, even though the bonds were coming up for renewal. I just don't understand the mechanics of how that works.

Mr. Speaker: Do any other members wish to participate? The hon. minister.

Hon. Mr. White: Mr. Speaker, my hon. friend has dealt with the essence of the need for this bill. When the scheme started 10 years ago, there was a certain guaranteed rate of interest provided by the government of Ontario which was somewhat above existing rates of interest and which seemed at that time to be generous. By establishing the rate of interest in the statute, it enabled the plan to establish itself on an actuarial basis because, of course, it had guaranteed incomes to meet actuarial demands upon it.

This rate of interest was altered upwards in 1968 from five per cent to 6½ per cent; once again, with the same twin objectives in mind. That is, to be relatively generous with the participants in the plan and to provide a sound actuarial base for pensioners drawing out of the plan over the decades to come. The reason the rates were embedded in the statute rather than passed by regulation, or in some other fashion, was to give a good solid actuarial base that was the guarantee set forth in the law of Ontario.

Now, two things have happened in recent years. First of all, because of the economic conditions, summed up in the single, dreadful word "inflation," interest rates have gone up very considerably. So what did seem to be a good deal at five per cent and 6½ per cent, ceased to be a good deal after the bargain had been struck.

The statute provided that moneys flowing annually into the fund would be invested at these statutory rates of interest and they would be reinvested for a period of 30 years from Jan. 1, 1974, at these predetermined rates of interest. There were some of my advisers who thought that we should stick to the deal because if we had gone into a deflationary part of the cycle no doubt the OMERS board would have insisted upon and got the five and 6½ per cent rates guaranteed by the statutes.

I thought it was inequitable to ask this particular specialized group of citizens to bear this burden and, in effect, to subsidize the people of Ontario in general. I recommended to the government, and the government now presents for the approval of the House, a new deal. That new deal very simply is this: We will disregard the previous undertaking, which has now been made far less generous than was intended and, instead of the five and 6½ per cent we will pay the rate of interest which prevailed when the moneys flowed into Ontario debentures. This will lift the average up to —I have forgotten now what it is—6.9 per cent on average going back over those years.

The catch-up payment to make this possible will be approximately $10 million on Jan. 1, 1974. We will pay the current rate of interest year by year, that is the current average rate of interest paid by Ontario against its debentures, into the fund in the years to come. This will provide, by our estimation, an additional $280 million into the fund through the life of these debentures. These greatly enhanced income amounts will enable the OMERS board to increase its pay-out in a way it determines upon.

Now, sir, having met that point, I would like to turn to a more general summary of the OMERS situation and give some indication to the House of what we are considering for the future. Perhaps it will enable me to draw the attention of members to several rather significant statistics to be found in the OMERS report for the year 1972. This won't take very long and I think it is worth mentioning to give some idea of the magnitude and importance of the OMERS programme.

Ten years ago, in 1963, there were 9,840 active members. As of the end of 1972, there were 77,258. The number of pensioners 10 years ago was 19; now there are 5,663. The pension payments during that first year were only $1.855 and in the most recent year were $3,194,660. The income during the first year was less than $5 million and last year, that is 1972, it was more than $70 million. The assets at the end of the first year were less than $5 million and at the end of 1972 they were $385 million.

It is becoming a tremendously important pension plan in this province, affecting tens of thousands of people who have, quite properly, to be safeguarded and, more than that, treated fairly. One way in which I think we can treat them fairly is by not requiring them in any way to subsidize the province at large.

This, I think, is quite a satisfactory short-term solution. It has been, I think I can say, very well accepted by the OMERS board, some of whom are appointed by us and others of whom represent different categories of interest groups—municipalities, firemen's unions and so on.

Perhaps you will permit me, Mr. Speaker, to pay some recognition to the people who serve the province in this way: Starting with the chairman for last year, Mrs. Anne Jones, who is now the regional chairman of Hamilton-Wentworth; and her vice-chairman, Mr. John McLeish from London, who is the chairman this year. The members include Mr. R. F. Bevan, Mr. L. D. Groombridge, Mr. H. L. Harris, Mr. Paul Hickey, Mr. Ed Hothersall, Mr. E. Lumley who is the mayor of Cornwall, Mr. A. W. Reeve from my ministry, Mr. G. D. Spry and Mr. R. M. Warren. I do pay credit to those men and women for having served in this capacity.

As we made the short-term adjustments, we also decided to look at the longer term. This was touched on in my remarks to the national trilevel conference in Edmonton about a month ago, at which time we made it clear that we were going to try to enable municipalities to make better and more efficient use of their credit capabilities, perhaps by opening up OMERS.

I didn't want to make this decision or recommend this change to the government without having expert advice so we established a five-man study group which has been working for several weeks under the chairmanship of Mr. Paul Hickey, who is the undoubted expert in this area, who has the confidence of my ministry, who has the confidence of the OMERS group and who has undertaken at my request to report by Jan. 15, 1974. This should enable us to make whatever changes are necessary early in the next session.

It is impossible to predict, quite obviously, what they will say, but they will advise with respect to the structure and composition of the OMERS board. I myself think that the Ontario participation is larger than it should be. They will no doubt deal with the investment constraints which now exist and what might be more appropriate for the future if these constraints are removed or relaxed. It will be necessary for them to set up, no doubt, a new form of investment expertise, whether that be within the board, committee of the board or consultants to the board. If they are free to invest in a range of obligations, decisions will have to be made in the future, as has not been the case in the past when they were confined to Ontario debentures.

These changes, I think, are being heralded by participants in the OMERS plan and by the municipalities. I hope the municipalities don't think, as we end the implicit subsidization of the province by the participants in the plan, now corrected by these payments, that the municipalities will be able to call upon these enormous resources to subsidize the municipality. It would be no more fair to ask the OMERS participants to subsidize the municipality than it would be to ask them to subsidize the Province of Ontario. To

keep the game honest, although here again I must say decisions can't be made until the study group reports, my expectation is that any municipal debentures acquired would have to be acquired through the market and thereby avoid any danger of OMERS, directly or indirectly, overtly or covertly, subsidizing one or some members of municipalities. To the extent that the municipalities see these changes solving their financial difficulties, I have to say that they will not.

Mr. Breithaupt: Except that they will increase the market.

Hon. Mr. White: Except that they will increase the market; and, theoretically, if the supply of funds increases, the equilibrium point will change and the interest rate paid will decrease by some marginal amount.

It was said by one of the hon. members that Ontario has no obligations in these matters and that led him to certain conclusions. In point of fact and ultimately, the financial well-being of the municipalities of this province depends upon the province. It would be absolutely unthinkable, either ethically or legally, to let this fund flounder. Therefore, in the final analysis it must be said that we in Ontario have the ultimate responsibility. Well, sir, I think that deals with the principle of the bill and, as was mentioned earlier, questions of one kind or another can be dealt with as this bill now moves into committee.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered to committee of the whole?

Agreed.

Clerk of the House: The seventh order, House in committee of the whole.

ONTARIO MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM ACT

House in committee on Bill 243, An Act to amend the Ontario Municipal Employees' Retirement System Act.

Mr. Chairman: Any questions or comments on this bill?

Mr. R. Haggerty (Welland South): Yes, Mr. Chairman.

Mr. Chairman: First section?

Mr. Haggerty: Well, my comments deal with the whole bill; let's put it that way.

I was hoping there would be an amendment to the bill to deal with the inequity in the present scheme for those employees who have to take an early retirement under OMERS, particularly those in the fire departments and perhaps in the police departments, and who lose a substantial amount of income for a period of five years. I thought perhaps there could be some way that additional funds could be made available under the Act that would allow them to be sufficiently compensated during that period of five years for the income they will lose by taking early retirement.

In some retirement schemes persons are allowed to stack pension plans, but in this specific instance, this particular group is not allowed to stack members' pension plans.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Well, sir, the $9 million—I guess it is $9 million; I mentioned $10 million earlier—the $9 million single payment of Jan. 1, 1974, and the $280 million additional income to the fund, plus whatever third increase in income takes place from the new policy of paying the current rate of interest, will substantially increase the sources flowing into the fund. This in turn will enable the OMERS board to increase the payments out of the fund. This is their principal responsibility, and I think it is not for me to decide the nature of the payments out.

However, if the hon. member will turn to the OMERS report, 1972, it will be seen that there have been significant developments almost every year since 1962, and one sees that effective Jan. 1, 1970, OMERS was allowed an improved basis for investing funds of the system with the province.

> This improvement provided that all moneys available for investment will be turned over to the province each year in exchange for a debenture, of which the rate of interest will be the weighted average yield of interest of all the debentures issued or guaranteed by the province during the year of issue.

Now then, as that increase in income came about, there was an increase in benefits, as was pointed out in the report.

> Also during this year a widower became eligible for a pension under OMERS if, upon the death of his wife, she was a member of OMERS and he was totally and permanently disabled and mainly dependent upon her for support.
>
> Furthermore, pension payments payable to children under OMERS were extended

from age 18 to age 21, if the child or children are attending an educational institution determined by the board on a full-time basis.

Now I cite this not because of the detail but because, as we satisfy our principal obligation —that is, ensuring a fair stream of income into the pension plan—the OMERS board is enabled to enrich the payments out of the pension plan.

The point that the hon. member has drawn to our attention will no doubt be among those possible enrichments considered by the board as they go into their next year.

Mr. Chairman: The member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Chairman, I have the OMERS 1972 report and I was following the Treasurer when he read that 1970 improvements provided for a payout of the weighted average yield of interest of all debentures issued or guaranteed by the province. If this principle applied in 1970, that the average weighted yield should apply, why does this same principle not apply in 1973 when we are, in fact, reinvesting $154 million? That's what the whole argument is about right across this province. Every municipality—I've been in touch with 600 municipalities and they have responded to me in a positive fashion—agrees that this should happen. The same principle that applied in 1970, namely, the weighted average yield, satisfied them. Why does that not apply at this moment?

Hon. Mr. White: That's what we are doing exactly.

Mr. Germa: Mr. Chairman, this is precisely what we are not doing. For the year 1963, those funds which accrued to the fund in 1963, which were formerly paid at five per cent, they are now going to reinvest at 5.49 per cent.

Hon. Mr. White: That's the whole reason for the bill.

Mr. E. R. Good (Waterloo North): They make up the difference. Eight and one half per cent of your—

Mr. J. R. Breithaupt (Kitchener): Jack them all up.

Mr. Germa: Can I take another look at this?

Hon. Mr. White: Let me see if I can clarify this. In 1970, it was decided that the amounts invested in Ontario debentures would be at the weighted average interest rate paid by the province during that year. This had not been the case previously when the five per cent and 6½ per cent return rates were guaranteed. This bill, however, now marches us back and changes those relatively low guaranteed amounts—relatively low by present day interest rates, but relatively high when the contract was made. It now marches back so that we will be investing these funds not at five and 6½ per cent, but on the basis of the weighted average yield for each of the years, as these moneys flowed into the fund. And we will be doing the same thing in the future.

Mr. Germa: That's precisely what I said. The $4.4 million which was paid into the fund in 1963 will now be bearing a rate of 5.49 instead of the five per cent previously.

The municipalities are concerned that this is a new investment as far as they are concerned—and the legislation indicates that the debentures are due and payable—and that the funds should be reinvested at the going rate, which is something different from 5.49. In fact, it could be 8.5 for the year. In 1972 it was 8.2 per cent. For the year 1973, it could very well be 8.5.

This is what the demand is, that the $4.4 million in clause (a) of section 3 should be reinvested at something above eight per cent, say 8.2; and it was on this basis that the personnel association made its calculation of shortfall to the fund.

There are a lot of deficiencies in the OMERS fund. I understand and I recognize that it is accepted as a better fund than those hundreds of other miserable pension plans that all the municipalities have. I agree. But there are still a lot of improvements that could be brought about in the OMERS fund and I'll mention a couple of them in a moment.

Hon. Mr. White: By contract, we were required not to reinvest the funds Dec. 31, 1973, but to extend the contracts on the basis of the five per cent and 6½ per cent interest rates. Because interest rates have increased very quickly, we decided to recommend to the House that we pay a higher rate of interest.

How was this to be determined? We could have paid the existing rates going back to the beginning of time, we could have paid the interest rates that applied in the year in which the moneys were received, or we could have stuck to the terms of the bargain, that is the five and the 6½ per cent.

I quite understand, as a negotiating instrument, people demanding that we pay this year's rate of interest for moneys that flowed into the provincial funds in 1963. But fair is fair. I think the answer we've found and which is now offered to the House for its approval is the fairest, squarest deal imaginable. That is to say, we'll pay the weighted average interest which applied in each of these years to the amount of money received in each of these years, and this will step up the average to 6.9 per cent for all those moneys flowing back to the beginning of the plan in 1963, and it will apply the current rate of interest, eight plus something, to funds received in the forthcoming year, and of course the weighted average interest will be applied for each subsequent year.

Now, I'll give you some idea of the magnitude of this enrichment. I pointed out we were not compelled to do this by statute, and some number of people, including some number of members of the OMERS board, thought it was not appropriate in view of the fact that there had been a good, hard deal struck, embedded in the statute. But it will enrich the fund by $9 million on Jan. 1, 1974, and will add an additional $280 million over the life of these debentures.

I know it isn't as much as CUPE would have wanted us to do, but it's a great deal more than the contract which was made several years ago.

Mr. Germa: Mr. Chairman, it is agreed as to what the minister said — that the weighted average yield with the adjustments is going to be 6.9. But it is also true that the rate for this year is eight-point-something; so there is a shortfall, and this is what we are talking about; of about 1.5 per cent.

And I see this, sir, as where $100 million of subsidy is still going to be accruing to the Province of Ontario; and this is precisely what the municipalities are concerned about—the difference between the average of 6.9, which this bill brings about, and what the going rate is for 1973.

I know the minister indicated that this was agreed upon in the beginning. He knows very well that the municipalities are the creature of the provincial government, and as such they have very little bargaining power—as witnessed what is going on here today. It is only that the Treasurer happens to have a soft spot in his heart for the municipalities that even this amendment is coming in. But the day might come when we don't have such a minister and—

Interjection by an hon. member.

Mr. Germa: Some minister might have interpreted the legislation literally, and would have just rolled these funds over at five per cent and 6½. I recognize it.

But I don't think it is the responsibility of this government to deal with a municipality in the same fashion that they would deal with the private market. The Treasurer himself said that this government would not see the municipalities suffer by this fund going down the drain. So that indicates to me that, referring to the legislation, it just doesn't add any strength to the argument.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I want to ask of the minister, under 1(g), where the definition of "employer" is included, if under that definition one could conclude that other than elected councils would be eligible to benefit by making contributions to OMERS.

Now, I specifically refer to commissioners of utilities who have in the past attempted, or recently have at least attempted, to be included in the OMERS package.

Now, I also refer to members of boards of education; I pick out the two specifically, there may be others that could be included. Would the minister reply to my comment?

Hon. Mr. White: Well, sir, the first section really permits municipal employees to be seconded to the province without loss of benefit. The members of council may now be covered by OMERS, as you know, and so may other municipal employees, whether they be employees of council or employees of municipal boards including certain employees of school boards.

Mr. B. Newman: What about elected officials of utilities commissions and elected members of boards of education?

Hon. Mr. White: This is a matter which I have not encountered before. I guess, by the separate statutes, they are unable to participate.

Mr. B. Newman: Is the minister considering introducing legislation in the future that would permit them to be included in OMERS, that is, elected officials of boards of education and utilities commissions?

Hon. Mr. White: Quite frankly, I don't remember having heard the suggestion before. These Acts are entrusted to my colleagues, but at the suggestion of the member I'll certainly be glad to look into it.

Mr. B. Newman: I did write to the minister and he replied to me, and I think he has just forgotten for the moment. I would appreciate his considering that.

Hon. Mr. White: Mr. Chairman, let me put this recommendation to the study group and let us get their recommendation by Jan. 15.

Mr. Chairman: The member for Sudbury.

Mr. Germa: Mr. Chairman, could I ask a couple of questions pertaining to the general operation of the fund? I wondered if the minister agrees with how I see it, that this fund promotes common law relationships in its dealing with women? If you take a woman who has paid into the fund, retires and then remarries, she is not subject to pension.

I can't see what the relationship is. This woman has paid in; her employer has paid in. She goes on pension and she remarries and she is going to be cut off. It doesn't happen in the case of a man. If a man pays his premiums, retires and then remarries nothing happens to him, but if it happens to be a woman you have this extra penalty.

There is also another penalty as it relates to women in that if a woman is more than 10 years younger than her husband she has to suffer a penalty as far as widow's allowance is concerned. It's apparently repugnant to the government for a man to have a wife more than 10 years younger than himself. I wonder if the minister agrees with this philosophy, that we should be promoting this kind of action?

Hon. Mr. White: Sir, in that my wife, whose birthday was yesterday, is 11 years younger than I am, I certainly couldn't agree with the philosophy. However, this requirement is common to all government pensions and many private pensions and, in my expectation, is one of those incongruous inheritances from the past which I think we should do everything possible to eliminate as time goes by.

We have made great progress in recent years by having most of these benefits flow both ways, by having succession duty criteria apply to widows and widowers, by recognizing common law relationships and so on. I draw to your attention the fact that all, or nearly all, the members of the Legislature on Tuesday enacted into law new pension provisions for the members of the House, including my hon. friend, which have exactly the same constraints.

Mr. Germa: This is the point, Mr. Minister. If you do recognize them as legitimate requirements this was an opportune time for you to break some new ground. Certainly the members of this House were, to a certain degree, inhibited from raising complaints regarding their own condition. I am not inhibited at all in making these complaints on behalf of every municipal employee in the Province of Ontario.

I think that in order to keep the fund actuarially sound these kinds of provisions are drawn in. This is part of the reason for the money accruing to the fund being maximized to the greatest degree possible, so that things like this will not have to be introduced into the regulations in order to keep the funds sound. One is part of the other. What the whole debate is about is to increase the earnings of the fund to the maximum.

Hon. Mr. White: You understand this was the first step which was needed before the end of December. We will be coming to grips with other features of the legislation. The OMERS board will be coming to grips with other features of the benefits following the receipt of the task force report on Jan. 15, 1974. This is just step number one.

Mr. Chairman: The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, if the minister feels that he should not break new ground in this field, could he not consider this point? If the widow remarries she loses the pension; right? Now supposing she remarries, loses the pension; and then her new husband is killed in an accident a week later. She has lost everything.

Hon. Mr. White: One adviser is nodding up and down and the other is shaking his head. This is the situation at the present time. How about the study group?

Mr. Burr: Is there any reason that you could not at minimum suspend the pension during the remarriage? Then if the second husband died or was killed, the pension could be resumed. This would affect only a relatively few but it would certainly be a big boon to those people.

Hon. Mr. White: I really can't agree philosophically that there should be any discontinuation of these benefits if a person remarries. I know of at least one instance where

marriage was avoided and a common law relationship established, simply to keep the benefits flowing. This was a single incident, involving well known and highly regarded people, although I am sure it is duplicated thousands of times over.

Mr. Burr: That is exactly what the pension law as it now stands forces people into. You can't expect a woman of, say, 60 to give up a large pension and run the risk that she may be poverty stricken in a year's time. That's why I say could you not go this far at least and break a little new ground if you don't want to plough a whole furrow?

Hon. Mr. White: I have had my officials here note the suggestion and it certainly will be considered by the study group.

Mr. Chairman: The hon. member for St. George.

Mrs. M. Campbell (St. George): I wonder if the minister would comment – perhaps it would be more appealing to him – on the fact that it is the male sometimes and his interest which suffers if he is married. As I understand it, he cannot take the benefits flowing to his wife's policy fully unless it can be proven that he was (a) incapacitated at the time of her death; and (b) that he had been wholly dependent upon her.

In view of the fact that the federal government is moving to take the initiative to amend the discriminatory feature, could there not be some commitment from this minister that we will not continue this discrimination?

Hon. Mr. White: As I mentioned a moment ago, we have made enormous progress in the last few years. As Minister of Revenue, I ensured that the benefits under the succession duties flowed both ways, that common law unions were recognized for death duty purposes. In our own pension plans we have certainly eliminated some number of the biases against widows as opposed to widowers. There have been a number of suggestions made here today which simply must be considered by the study group.

This bill, as I mentioned a few minutes ago, is simply to take the first step and deal with the contract which was expiring Dec. 31, and to enrich the payments. So all these matters will be considered by the study group. I can give the members that assurance.

Mrs. Campbell: Mr. Chairman, the reason I didn't rise earlier was because I did not feel that this was the place at which to raise these questions, but since they were raised I thought the others should be added.

Mr. Chairman: Any further comments, questions or amendments? The member for Sudbury.

Mr. Germa: Mr. Chairman, I would like to move an amendment to section 3 of the bill.

Mr. Germa moves that section 3 of Bill 243, An Act to amend the Ontario Municipal Employees' Retirement System Act, be amended by adding thereto clause 2(b) as follows:

The Treasurer may, at any time and from time to time, invest in a debenture or debentures of any municipality in Ontario and deliver to the board any such debenture or debentures in exchange for an equivalent principal amount of all or any part of any debenture of the province of Ontario heretofore delivered to the board by the Treasurer, provided that any debenture of any municipality so delivered shall in all respects be the same as the debenture for which it is exchanged.

Hon. Mr. White: I couldn't accept this amendment, Mr. Chairman. The entire matter is being explored by experts. These experts will be reporting by Jan. 15, which is just over one month from now, and there will be ample opportunity to make whatever changes in the legislation and regulations are thought to be wise at that time.

This, it seems to me, would simply divert certain moneys through the province to municipalities in a way which we now do through OMIC, and I think it wouldn't substantially alter the existing course of events.

Mr. Germa: Mr. Chairman, this amendment is precisely worded so that the preferred borrowing rate that the Province of Ontario does enjoy, will in fact accrue to the municipality. The minister's thrust in a statement just a few moments ago was that the municipalities could not expect to get this kind of rate, and this is precisely what they don't want. They want to use, to some degree, the credit of the Province of Ontario to assist them in their financing, and the wording of this resolution is such that this could be accomplished.

Mr. Chairman: Those in favour–

Mr. J. A. Renwick (Riverdale): Mr. Chairman, on a point of order, if I may. In the remaining bills which stand on the order paper we have a number of amendments, not many of them, but we would be pre-

pared, if you agreed and the House agreed, to stack all the divisions on each of these amendments until the very end of the committee hearing, regardless of the particular bill, and then have a division on the series of amendments at that time, rather than to divide on each bill; because we would wish to divide the House on certain of these amendments.

Mr. Breithaupt: Mr. Chairman, if that is the case and if there are any other amendments proposed on which there will be recorded votes, we would also be prepared for the remaining time and for the eight or 10 more bills with which we have to deal, to have those votes stacked.

Mr. Chairman: Yes, we can, at the present time, just deal with those which will be in committee, of course. If you wish that other arrangement in the House in formal session, that could be dealt with them.

Mr. Renwick: Mr. Chairman, I was speaking only of the divisions within the committee.

Mr. Chairman: So I understand. Is this agreeable to the committee?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Yes, Mr. Chairman, we have discussed the matter and it is very agreeable to us.

Mr. Chairman: All right. Well, first of all, we'll have to determine whether there will be a division. I'll put the question.

Those in favour of Mr. Germa's motion will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

This will be stacked.

Any further comment, question or amendment on this bill?

If not, then this bill, with its amendment, will be stacked for now.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report progress and asks for leave to sit again.

Report agreed to.

PUBLIC COMMERCIAL VEHICLES ACT

Hon. Mr. Carton moves second reading of Bill 259, An Act to amend the Public Commercial Vehicles Act.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a few remarks to make on this bill. I have read it over roughly, as well as the minister's statement and we think the principle of the bill is good; however, we know that it does lack a few things.

One of the major things that concerns me is that rate controls are not included in the bill. This is something that I think we, as a province, are going to have to definitely get into. In the United States, all rates are controlled by the Interstate Commerce Commission, and they are controlled in the Province of Quebec, so we feel this is something that the minister should be taking a real good look at.

In the "golden horseshoe" and areas like that, there is a great demand now for licences; just lately, I understand, the new Laidlaw trucking firm was applying for a major licence through southwestern Ontario between the United States and Oshawa, Toronto and so forth. I think everyone knows the trucking business in that area is quite a prime business. One has only to watch the trucks go from the General Motors plant in Oshawa to Detroit, Windsor, London, Toronto, and so forth, to realize it is quite a lucrative business; and I suppose there are always more concerns trying to get into it.

I'm concerned too about the Highway Transport Board having to approve all these applications. From what we can gather, we would probably agree that the Highway Transport Board has been doing a sound, reasonably good job in its approach to licensing, although no doubt there is room for improvement in some areas, which I will come to a little later.

I'm concerned, though, in the case of Laidlaw, for instance, where a former Minister of Highways and former Treasurer of Ontario has been appointed to the company's board of directors, that there won't be undue pressure put on the Highway Transport Board to give them any special consideration. I think this is something that should be taken into consideration.

I am also concerned when I hear that not too long ago the former Premier and member for London sat in on some of the Highway Transport Board hearings, as well as the

president of the Conservative Association of Ontario, Mr. Eagleson. Mind you, I know that a number of members of the Legislature probably have appeared before the board at different times; in fact, on one occasion I appeared myself with a concern in my area, although I am sure my presence there wouldn't mean too much, compared to that of the three people I mentioned previously. I think even the minister would agree to that.

That's something I think we will all be looking at in the future. I only hope, as I mentioned, that it doesn't put undue pressure on the board for applications.

On the granting of PCV licences and so forth in northern Ontario, I understand there has been no change north of North Bay for, perhaps, 20 or 30 years. Star Transport and Dominion Consolidated—owned by Lord Thompson, an interesting fellow, I take it—operate in that area and there have been no new applications granted. Mind you, 20 or 30 years ago we probably didn't need any more but I wonder now if we shouldn't be looking at the granting of new applications north of North Bay, especially in truckload lots. I think there probably is an opening there for better rate structures if there was a little more competition in that area, especially in carload and truckload lots.

Another area that this bill is attempting to fix up or patch up is the leasing agreements, some of the trip leasing and so forth. I think there is still some room here for misuse as one trip might be re-leased on a trip back or something; maybe the minister can explain that when he is replying. I am not sure of that but I understand there may be still a loophole there which should be looked at. I think that's in section 3.

Going back to the freight rate structure which I think we have to be looking at, maybe this would be an ideal position for the government to look at. If we can pro-rate our trucking charges on a mile-for-mile basis, from Oshawa to Windsor, the rate for every 1,000 lb would be so many dollars. It's probably the same mileage from Toronto to North Bay; if it's the same mileage I wonder how much higher a rate it is in that area. In other words, there is the same mileage but in two different areas, and what is the rate.

I think maybe this is something for the Ontario Development Corp. to consider in attempting to disperse industry to many parts of Ontario and to assist industry to start up in some of the slow growth areas. Maybe we should be taking a really good look at the freight rate structure to help us to assist in the dispersal of industry throughout the province.

As we all know, there is a difference in prices and so forth. It was brought to our attention the other day that there was a difference in the prices of articles in Windsor and those in Sudbury and no doubt part of that is definitely put on in freight rates.

I wonder, now that the minister has deregulated dump trucks, gravel trucks and so forth, how much necessity there is now for PCV licences for cattle hauling. Also, I think the transport board almost rubber-stamps the PCV licence for the hauling of milk. Actually the hauling of milk in Ontario is strictly under the control of the Ontario Milk Marketing Board. The routes are set up, the exact areas and the number of farmers that each trucking company will haul from are all set up by the Milk Marketing Board. I wonder really how much advantage there is in having the transport board also getting involved in this. It seems to me that hauling bulk milk is really a business all on its own and maybe we should be looking at turning that part of it over to the Milk Marketing Board.

With school bus licences, I suppose we have the same thing there to some degree. The school bus routes are set up by the boards of education and I don't think the transport board could really have much to do with setting up the routes for the schools because it has to be done on a county-wide or city-wide basis. It's mostly county, of course, because it is in rural areas. It seems to me that that's something else and that maybe we should just have school bus licensing. As far as PCV is concerned maybe we could get out of that as far as the transport board is concerned.

Another thing I wanted to mention, and which has happened sometimes, is that a trucker goes into an area to load up from a shipper and there may not be any scales in that area. He backs into the shop or factory and with their big hoist they put on 50,000 lb and give him a bill of lading for 50,000 lb of steel or whatever it might be. He might go down the road 30 or 40 miles and there are weigh-scales there. He pulls in and he might have 60,000 lb. That is the responsibility now of the trucker and perhaps there should be some consideration given that this should be part of the responsibility of the shipper. I know that this has happened in the past and that is something else that probably should be looked at.

I would ask the minister, too, when he is replying on section 6 with regard to freight

forwarding and proof of necessity, if he would —I understand there are only about two of them now operating in Metro—but just what that might involve.

Another area of concern is our trucking companies operating throughout the city at all hours of the day or night. The time might come when we may have to say they will only be able to deliver at off-hours, or something. But should we have a central depot? All trucking companies would bring their loads in from outlying areas. The delivery companies in the cities would then pick up from there. For every 10-block or 20-block area, deliveries would have to be shipped on one truck, rather than have 10 trucks running into the same area.

I suppose it would be something like a customs warehouse compound, where all the trucks coming in from Windsor, or wherever it might be, from across the border, go to Kennedy Rd. I can recall, having worked in customs, that we would seal the trucks up and send them right down to the Kennedy Rd. customs warehouse; and then deliver from there.

I suppose you could almost compare it to a Brewers' Retail store where all the brewers bring in their booze and everybody picks up what they want from there; or it is delivered from there. That, in effect, is what it would amount to. I think that is something that we should be looking at in the future with the crowded conditions in our cities. This may save a lot of problems and a lot of congested traffic.

Now, I don't think I have anything else right now, Mr. Speaker; and will be glad to hear the minister's remarks.

Mr. Speaker: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Speaker, I have a few comments to make on this; I went over this bill very closely, and just to prove it I am going to ask the minister to turn to section 10 of his bill; I think he is repealing the wrong section. He is repealing section 15b of the said Act as enacted by the statutes of Ontario, 1971, chapter 50. I think if the minister checks it out again he is going to find that he repealed the wrong section. I think the minister should repeal section 13b rather than 15b.

I have the 1971 amendments in front of me and it indicates the minister is aiming at 13b rather than 15b. If I could just read from section 13b of the 1971 amendments, the minister will see that it paraphrases almost directly what he calls 15b. Now, 13b says: "A member of the Ontario Provincial Police force or any officer of the department." So that's what you are trying to repeal—except you have called it 15b. I respectfully suggest the minister is going to repeal the wrong section.

If you turn a couple of pages further to section 11 of the bill, the minister is now aiming to repeal section 15c. I think what he really wants to do is repeal 13c of the 1971 amendments rather than 15c.

I just wondered if the minister is aware of this and—I don't know how to change it, unless we go to committee and make those amendments.

When I saw the amendments to the PCV Act coming in, Mr. Speaker, I was hoping that the minister would recognize that the PCV licensing in the Province of Ontario is in one hell of a mess, and that he was in fact going to try and take certain steps to ameliorate the problem as it relates to the other crisis which is presently before us, namely, that of energy. The issuance of a PCV licence is such that it encourages waste in the narrow definitions of licences which are granted.

I have here the Hansard of the House of Commons debates, Nov. 26, 1973, page 8151. I quote a question by Mr. Arnold Peters of Timiskaming to the Minister of Energy, Mines and Resources:

> Mr. Speaker, I have a question for the minister with regard to utilizing commercial traffic on our highways. Does he intend to have some of his officials give consideration to the difficulties in Ontario respecting PCV licences and the fact that all transports travelling out of northern Ontario are loaded and return empty? There could be a saving of about 100 per cent with most of our traffic in and out of northern Ontario.

The reply of the minister, Hon. Donald S. Macdonald was:

> I appreciate your suggestion and I shall be glad to look into it.

Presumably Donald Macdonald is going to come to this minister and is going to question him about these empty trucks on our higways. The narrow definition of a PCV licence encourages this. I'd like to relate to the minister just what I am talking about. I read an application in the Ontario Gazette of Oct. 20, 1973:

> Ernest William Wilson, Esq., 1121 Crescent Park Rd., Sudbury, Ont. applies for

a class "H" public commercial vehicle operating licence for the carriage of uncrated, used household furniture and household goods from points within a 50-mile radius of the city of Sudbury to points in Ontario.

Presumably, if somebody crates this furniture, he can't carry it; presumably, if it is not used he can't carry it. Otherwise his truck is going to be run empty.

In this period of trying to conserve energy, surely the minister is aware of the truck traffic on our highway. If these PCV licences are so narrowly defined that 100 per cent of the trucks returning to northern Ontario, if I take the suggestion made by my friend Arnold Peters, are empty, then surely we are wasting a lot of energy, a lot of diesel fuel.

I think the PCV licensing in the Province of Ontario is in a bloody mess and it has to be rationalized eventually. I was hoping that there were going to be some amendments come in to rationalize this.

I noticed in the press a couple of weeks ago that even the truckers themselves have held a meeting. I wonder if the minister is aware of this and if he has had any input. The truckers themselves realize that they are being wasteful of our energy and they are trying to co-operate one with the other in order to avoid half-loads. A lot of these trucks are only running with half-loads and a lot of trucks are running empty on the return run.

I have a rough idea of what comes out of northern Ontario. A lot of lumber comes out. Certainly the truck is fully laden as it wends its way down here to the southern part of the province; but on its return journey it invariably goes back empty because the owner has a license, let's say, to carry lumber only from Foleyet to Toronto and he can't even stop and make a delivery in the intervening townsite. This doesn't make for an efficient transportation system. These are the things that I would have hoped the minister would have been doing.

Just to recite again the narrow types of licence for which applications are being made: Nov. 3, 1972, the Ontario Gazette:

William Avery Jr. Esq., 131 Main St. W., North Bay, applies for a class A public commercial vehicle operating licence for the cartage of goods between the city of North Bay and a place known as Loring, in the geographic township of Wilson, via Highways 11, 17 and 94 between North Bay and Powassan, Highway 534 between Powassan and a place known as Restoule, Highways 534, 524 and 522 between Restoule and Port Loring, Highway 522 between Port Loring and Trout Creek, Highway 11 between Trout Creek and North Bay provided,

1. That shipments may be picked up and discharged at any point on the above referred-to highways; 2. That use of tractor-trailer combination is prohibited; 3. That no shipment from any one consignor to any one consignee at any one time shall exceed 100 lb in weight, except shipments originating in North Bay and Powassan for delivery to points on King's Highways 522, 524 and 534, uncrated furniture and uncrated appliances for delivery to points on King's Highway 11.

How does the minister police that licence? He'd need 42 policemen. One just can't police a licence like that. How are the police going to know he is carrying uncrated furniture and he is not going to let it off on the wrong highway as designated?

These licences, to me, just don't make sense. The minister eventually has to rationalize truck transport. They are not only driving the rest of the population off the highway, they are wasting a hell of a lot of fuel. We have got to start considering that.

There are a couple of sections here that I saw when I went through the bill. Section 10 of the bill, which I said was badly numbered, is an amendment which was necessary. It entails inspection and examination of vehicles. While the present bill gives the police the power to inspect and examine, it doesn't give the police the power to stop. It was just a housekeeping section, I think. I think in order for the policeman to examine a vehicle he would have to get it stopped first.

That is about all that section does—allow him to stop and search certain documents. It also tells us which documents the trucker has to carry. Under the present legislation the courts were narrowly defining what was said, and this lays out in great detail what the trucker has to carry in order to prove his licence. But I say again, the minister would have to hire 110,000 more policemen in order to police all the PCV licences at present in Ontario.

Another part of the bill defines and gives a wider scope to what the meaning of PCV is. It also is in conflict, I think, with the bill we are going to be dealing with later on. Section 2 of the bill, subsection (1) states: "No person shall operate a commercial vehicle on a highway for the transportation for

compensation of goods of any other person unless . . ." This implies that a person can rent a truck. In fact, under this I could go out and rent a tractor-trailer myself and move my own furniture from one area of the Province of Ontario to another. But when I look at what is coming in the minister's next bill, he has not allowed me to do that, in fact, because he has removed the chauffeur's licence.

Hon. G. R. Carton (Minister of Transportation and Communications): No, it has stayed there.

Mr. Germa: Oh, that is something I don't know about. Well, I will leave that. But that is what it implies—that a person can drive a truck or a commercial vehicle for his own use, so long as he is not taking compensation. That is about all I have to say on that one, Mr. Speaker.

Mr. T. P. Reid (Rainy River): I just want to make a few very brief remarks touching upon something my colleague from Essex-Kent and the previous speaker mentioned, and that is the opportunity the Minister of Transportation and Communications has in this bill or in subsequent bills to rationalize the whole transportation system as it relates not just to trucking but to other modes of transport in the Province of Ontario.

We are all aware that the most profitable runs are between, let's say, Sarnia, Windsor and Toronto and this particular area. We are also aware that there is really no such thing as rate justification. Any trucking company that wants to just files with the Ontario Highway Transport Board a letter or draft copy or whatever, listing the tariffs that it is about to put into effect. The Highway Transport Board just responds, in no way requiring those companies to justify their rates to show the need for the increase or in any way substantiate what they are doing.

This has led to a number of anomalies in the Province of Ontario, especially in northern Ontario. My friend from Sudbury has already touched on it and I touched on this in question period yesterday or the day before, when I brought to the minister's attention the fact that we have many PCV licences operating into northern Ontario only one way. In other words, they are either coming up or going back empty.

Obviously, for that trucker to make money in an operation like that, he has got to charge a higher rate if he's only running one way. If he can cut down his costs and expenditures by operating both ways, then obviously he is not required to charge as high a rate as he would otherwise. The net effect of that, of course, is to raise the cost of goods and services in northern Ontario. That's the first point, that the policy or the operation of the Highway Transport Board relates directly to, and causes directly, higher prices in northern Ontario.

The second thing is that apparently there are only two operators who operate north of North Bay in the trucking business – Star Transport, which, as we all know, is government-owned and controlled through the Ontario Northland system; and an outfit, I believe, called Dominion Consolidated. Apparently this policy was brought in some 20 or 30 or 40 years ago to rationalize the system because too many small truckers were going bankrupt in northern Ontario; there wasn't enough business to ensure that they could operate profitably.

I would suggest to the minister that surely that has now changed, that maybe the way to bring down transportation rates and subsequent costs in northern Ontario is not to say by government dictum: "We are cutting your rates 15 per cent," but to bring in more competition to allow these operations, both coming and going, and to bring a competitive impact to the trucking business, particularly in northern Ontario—and, incidentally, to do away with the monopoly that is enjoyed by these two firms, one public and one private. I wonder what kind of rationization we would have of rates if there was more competition in this area?

I want to combine my remarks about the high level of profitability between the Toronto-southern Ontario market and perhaps the operation of trucking firms in northern Ontario, and in other parts of the province as well where the runs are maybe not that profitable because the concentration of goods and services that are moving is not as high as it is on the Windsor-Sarnia-Toronto run.

I wonder what would happen if the Ministry of Transport and Communications took some initiative in this regard to equalize trucking rates across the Province of Ontario. What would happen if, tomorrow or next week or next year, the Ontario Highway Transport Board said: "It doesn't matter where you truck between; you are going to be able to charge only the same rate." Now would that not have a beneficial effect on those parts of the province that are not well served by trucking companies at the present time?

What we are doing now in effect is we are giving what we call franchises, but they are

monopolies, they are nothing else but that; we are allowing those people who have those runs to reap monopoly profits and the others to suffer along as best they can, often to the detriment of the people that are living in those areas, who are not as well served because of the higher concentration of volume.

I would like to hear the minister's reaction to that. What exactly would happen? Would there be that many deleterious effects on the trucking industry as a whole? Or would it, in fact, make the whole industry more competitive across the province and bring general benefits to the people of the province, particularly—I must be parochial—in northern Ontario, where I think we are being taken advantage of; not just by some truckers but because of the actions of the government itself? I wonder if we could hear the minister's comments?

Mr. Speaker: Are there any other members who wish to speak?

Mr. J. A. Renwick (Riverdale): Mr. Speaker, I have a very brief comment about it. I am always concerned with these open-ended rights of inspection of vehicles on highways, although I recognize the public necessity for such an intervention.

My question is a relatively simple one: how does the officer of the ministry identify himself to the driver of the vehicle in order to assert the authority that is given under the Act? The authority is given to a member of the OPP, who of course is a readily recognizable person of authority, but I am concerned that the officers of the ministry be required to identify themselves in some clear and unmistakable way; otherwise, inadvertently—and I know the minister wouldn't want to—he may be aiding and abetting hijackers on the provincial roads.

I do want to comment about what the member for Essex-Kent had to say. Whether it is true or not—and I'm inclined to think at this particular point in time it is not true—there is abroad, amongst those who are interested in licensing from the Ontario Highway Transport Board, the view that also used to hold with respect to licences from the Liquor Licence Board: that somehow or other the selection of the particular person to represent their interest before the board is of paramount importance—not necessarily because of the skill and ability of the person who represents them before the board, but because of his relationship to the government of the day.

Mr. P. J. Yakabuski (Renfrew South): Oh, oh!

Mr. Renwick: I don't know what the minister is prepared to do about it, but it is one of the last remaining boards where that kind of claim of patronage is still abroad; and I think that when my friend, the member for Renfrew South comments as he did, it is an indication that this is generally known throughout the province.

Mr. S. Lewis (Scarborough West): It certainly is by the member for Renfrew South.

Mr. Renwick: I would like to have the minister make some kind of statement that he is going to have the whole of the workings of the Highway Transport Board reviewed and brought up to date in order to establish exactly now, in this modern time, the meaning of the terms "public necessity and convenience." Without having had any particular special experience about the matter, I think that somehow or other those terms have begun to lose any clearly defined meaning, and the way in which the board operates at the present time is almost a matter of manipulation. Those may be harsh words but they reflect my particular view of the matter.

Mr. Speaker: Does any other member wish to participate? If not, the hon. minister may respond.

Hon. Mr. Carton: Mr. Speaker, in answer to some of the queries put by the member for Essex-Kent, he mentioned that there was an application from a trucking company relative to an X licence; and my only remark in that respect is that perhaps it is a good thing to grant more X licences, because this does give more competition. I see no objection, frankly, to additional licences being granted, because it does provide the competition which some of the other members have been talking about in their remarks on the bill.

Relative to the composition of the boards of directors of trucking companies and their relationship, I can advise the member that the minister personally has never entered into any consideration of any licences. That is not part of my function. I have obviously and deliberately stayed away from that. I really do not know who is making application. That is a fact. The application that the member mentioned to me, as a matter of fact, I think was in several months ago. I heard about it inadvertently about two weeks ago for the first time.

I recognize, and I'll answer the hon. member for Riverdale at the same time, that per-

haps there are these thoughts, but I'm talking now of influence in granting and I believe that's what the hon. member was mentioning. I can only advise members—and this was supposedly the case of the Liquor Licensing Board—I did practise law for a considerable time. I don't think I appeared before the Liquor Licensing Board more than once, but I did have people come to me and tell me—and I have names in my files—of people who were not of the same political faith who said: "If anyone mentions to you the fact that you have to have influence to get liquor licences, I'm prepared to state otherwise because I happen to be of a different party and I have gone down without a lawyer and I have been able to get a liquor licence."

This was told me and I have names of several people who have told me that they have heard these rumours but they're prepared to state that that is not the case.

Mr. Renwick: I agree with the minister inso far as the Liquor Licensing Board is concerned.

Mr. E. W. Martel (Sudbury East): Except when someone wants to get a job with them. Then it sure helps.

Hon. Mr. Carton: With respect to the OHTB, the Ontario Highway Transport Board, there are several leading members—I'd better be careful, I'm not sure of all parties —but I'm certain there are several leading members of—

Mr. Lewis: At least two parties which practise.

Hon. Mr. Carton: —two parties which practise before the Ontario Highway Transport Board.

Mr. Renwick: I wasn't restricting it to government members. I was thinking about selection of members of the assembly, if possible. That is what is abroad. If you happen to get a government member you're probably better off

Hon. Mr. Carton: The member means it wasn't directed at the government members; I see, I'm sorry, I misinterpreted it.

Mr. Renwick: It was in connection with members of the assembly appearing before the board.

Hon. Mr. Carton: So really the member's remarks were directed at anyone in this assembly, that they feel it would be right? I won't comment any further on that, Mr. Speaker.

With respect to freight carriage in northern Ontario, which was the subject of the remarks of the member for Rainy River and the member for Sudbury; there are in fact, two carriers, Star Transfer and Dominion Consolidated. There is another one called Allory, incidentally, which hauls from the north. My understanding is that in the case of those other than Star Transfer it's a very unrewarding carriage of goods because there is just not the profit in the north; I'm talking of northeastern Ontario now. In fact, they incur losses on their northern carriage of goods even though it appears that they might have a monopoly.

Mr. Reid: Why are all the carriers depending on illegal leasing? And illegal transporting in the lumber business?

Hon. Mr. Carton: The illegal leasing—and I think the member has hit the nail on the head—relates in particular, perhaps, to the lumber business. The main thrust of this bill is directed at illegal leasing.

It may well be—and I certainly wouldn't argue with it—that there should be a rationalization of freight carriage for northern Ontario, and this is one matter that I want to have a close look at. I want to mention that as far as the carriers presently in northeastern Ontario are concerned, it is certainly not a profitable venture, monopoly or not.

As to the hon. member for Sudbury—if I may get his attention—I think the two points that were made at the outset have been clarified. Thanks for bringing them to my attention because this can happen, but I think we are all right on those sections because it is a different consolidation.

I think the hon. member has a point, relative to energy saving, when he says that it is ridiculous, and I agree, to have trucks going one way empty. Again, perhaps there may be a rationalization of this when we have a look at freight carrying in northern Ontario. I wouldn't deny that it does seem ridiculous to have trucks going one way empty. It just doesn't make sense on economics, or of course in today's energy situation.

As to policing, I think in answer to the hon. member I can state that the trucking companies that have these PCV licences—I won't say that there aren't possibly exceptions—but by and large they are very conscious of their licences and the degree of carriage that's outside the terms of their licence will be very rare; because they have a PCV licence and we do have inspectors on the road. Quite candidly, it would be a very

unwise PCV licence holder who went outside his particular licence. I am not saying it isn't done; but if it is it has not been brought to my attention and, as I say, they have something rather valuable to lose if they start going outside its terms.

In answer to the hon. member for Riverdale on the matter of the inspectors, our inspectors are uniformed and they carry a letter of authorization from the minister. I think the uniform probably is the main thing that would advise the truck that is being stopped that it is official.

I have said before—and again because of all the questions on freight rates and because the truckers themselves have requested it—I will have a look at freight rates. I hesitate, frankly, when I have the people who would be the subject of the freight rate control themselves requesting it. There certainly must be other aspects of it. The shippers, of course, must have a concern in this area. I would like to have the opportunity of meeting with the various groups concerned and having their views as to the possibility of the freight rates.

On the matter of shipper responsibility—I think the member for Essex-Kent mentioned the fact that a shipper may put on an incorrect weight and the truck driver is responsible—I had hoped to bring in an amendment at this session to take care of that particular matter, and in fact I have had my ministry staff and the staff of the Ministry of Justice working on the wording of a section. The difficulty is the proof that is required in court. We are working with the Crown attorneys and I hope to be able to come up with some amendment that will take care of the situation and put the onus of responsibility on both the shipper and the driver, not just on the driver alone; because as the hon. member for Essex-Kent pointed out there is an area of responsibility relative to the shipper.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

HIGHWAY TRAFFIC ACT

Hon. Mr. Carton moves second reading of Bill 260, An Act to amend the Highway Traffic Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

Clerk of the House: The 27th order, House in committee of supply.

SUPPLEMENTARY ESTIMATES, MINISTRY OF AGRICULTURE AND FOOD

Mr. Chairman: We have two votes here—1703 and 1704.

On vote 1703:

Mr. Chairman: The member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, I have a couple of questions with respect to the Junior Farmer Establishment Loan. As I understand it, this loan has run on occasion into some deficit. Not that I want to take any particular time of the House, but I would appreciate hearing from the minister just as to the currency of this loan, how many loans are outstanding and what the returns on these loans are.

My presumption is, and I may be mistaken on this, that the loans bear a fairly modest interest rate in order to encourage young persons to get into and keep in farming. I think that kind of a social cost is acceptable as we encourage people to stay on the farms, especially if they are involved in new or experimental areas and in things which may be of great use to us as an overall province.

This is a gift, I suppose one might say, we are giving to establish and continue a certain pattern of life within the province, and that is probably most worthwhile. But I would like to hear the number of loans, and the difference in interest rates that causes a payment of this $1,550,000 to arise.

Hon. W. A. Stewart (Minister of Agriculture and Food): Unfortunately, Mr. Chairman, I don't have the accurate number of loans available that are outstanding, nor the exact amount. If memory serves me correctly, it's somewhere about 4,000 loans and the estimate is something like $100 million.

Mr. Breithaupt: What are the interest rates for those loans?

Hon. Mr. Stewart: The interest rates are at four per cent and five per cent, and the amount of $1,550,000 is the difference between that interest rate and the current

interest rate being paid by the province. That's the subsidy, this $1,550,000.

Mr. Chairman: Does this vote carry?

Mr. H. Edighoffer (Perth): Mr. Chairman, the minister mentioned the interest rates of four and five per cent. Are there none at seven per cent?

Hon. Mr. Stewart: I cannot hear the question. I am sorry.

Mr. Edighoffer: You mentioned, Mr. Minister, that the rates were at four and five per cent.

Hon. Mr. Stewart: Yes.

Mr. Edighoffer: I understand that there are some at seven per cent.

Hon. Mr. Stewart: Oh yes, there is an odd one out at seven per cent. Those are loans that apply on farms that have been sold to other than a junior farmer. Supposing a junior farmer had a farm at four or five per cent and for some reason or other, health or something, he wanted to sell the farm and someone came along who didn't qualify within the junior farmer loan years—he was an adult farmer, something like that. Then the transfer could be made to that person but it is made at the seven per cent interest rate and we continue the rate on.

Perhaps that interest rate should be jacked up. It was set at seven per cent when those transfers were being made and that was about the going rate of interest, but it has been increased since then. There are very few of these transfers that take place—just an odd one. I don't suppose there are more than 25 or 30 of them outstanding in the whole group.

Mr. J. A. Renwick (Riverdale): Mr. Chairman, I take it the answer to the question was that the deficit results from the differential between the interest rate charged on the loans which are made and the rate which the province pays for the funds that are used for that purpose, and that that accounts for the whole of the deficit.

Hon. Mr. Stewart: Yes.

Vote 1703 agreed to.

On vote 1704:

Mr. Chairman: The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, there are two matters on this particular vote with which I'd like to deal very briefly. First of all is the matter of the Ontario Pullet Growers Marketing Board. I'm interested to know if in fact the board—

Mr. Chairman: Order, please. How does that apply to industrial milk assistance?

Mr. Gaunt: It's all milk marketing? I can't deal with any other kind of marketing?

Mr. Chairman: No. The supplementary estimate is just for this $800,000.

Mr. Gaunt: Well, I'll deal with milk marketing then. How's that? Would that be all right?

Mr. R. G. Eaton (Middlesex South): Can you get milk from any of those pullets?

Mr. R. F. Nixon (Leader of the Opposition): Not unless you pull it.

Mr. Chairman: Maybe he was speaking of milk-fed chickens.

Interjections by hon. members.

Mr. Gaunt: Let's get back to milk marketing, Mr. Chairman.

Mr. Chairman: For the extra $800,000 only.

Mr. Gaunt: I want to seek out the minister's view with respect to the fact that roughly one-third of the industrial milk producers in this province are shipping their milk in cans and the fact that this is causing a great deal of concern for the Ontario Milk Marketing Board.

There is going to have to be a transition period brought about very shortly. There has been a transition period over the past few years—but it has been rather slow—during which people have been changing from shipping milk in cans to the bulk system. I understand that in the next few years many of these plants will not be in a position to accept milk that is shipped in cans, hence the great concern.

As you know, Mr. Chairman, we are short of milk in this province for industrial purposes. Many of the plants in the province cannot get enough milk to meet their requirements. For instance, my colleague from Perth tells me Stacey Bros. in Mitchell are only operating two days a week. Some of the cheese factories in the province are having a great deal of difficulty getting enough milk to maintain their operations.

If the people who are shipping milk in cans are going to be forced or coerced into changing their method to bulk shipping, many

of them are going to say, "I'm sorry, I'm too old; I don't want to incur that investment at this time. I'm not prepared to spend that kind of money. I've only got a few years left, and I'm going out of the milk business." If that situation happens, then we are going to be into an even more pressing situation with respect to milk supplies than we are at the moment.

I'm wondering what the minister is going to do with respect to this. I know we have the capital grants programme, and it's been successful to a degree in encouraging people to change from can shipping to bulk shipping. We have the loan programme, and I know that this has been successful to a degree in encouraging people to move from can shipping to bulk shipping. But the fact of the matter is that the great majority of the farmers are still shipping their milk by way of cans rather than in bulk.

I think this is a problem with which the government is going to have to deal in a much more effective way in the next year or so than it has in the past, and I think that it's going to have a real impact on whether we are able to supply the needs of the province as far as industrial milk is concerned.

I wonder if the minister has any other ideas or any other programmes in mind to encourage the shift? Has he discussed this problem with the commission or with the members of the Ontario Milk Marketing Board? I know those people are quite concerned about it—and I think we should be too.

Mr. D. C. MacDonald (York South): Mr. Chairman, before the minister responds, I have one overall question I would like to ask and I may have further comments depending, to some extent, on the reply. What specifically is this $800,000 for? What portion of the industrial milk assistance is it bolstering or supplementing?

Mr. Chairman: May I suggest that this is really all that we should be discussing—the purpose for the $800,000, not the whole question of milk assistance.

Mr. Gaunt: That is what I was discussing.

Mr. R. F. Nixon: That is what it seemed to me.

Hon. Mr. Stewart: I quite agree with you, Mr. Chairman. In my opinion, while I like to listen to my hon. friend from Huron-Bruce, to my mind his remarks were completely out of order as far as this vote is concerned.

The member for York South asked what the $800,000 is for, and it is for a plant consolidation programme—the subsidies that are paid to the operators of plants who surrender their licences and go out of business.

Mr. R. F. Nixon: What is it for, Mr. Minister?

Hon. Mr. Stewart: Plant consolidation programme.

Mr. R. F. Ruston (Essex-Kent): Farm plant.

Hon. Mr. Stewart: This means that any cheese factory, or creamery operator or powdered milk plant operator who sells his plant supply quota to another factory, qualifies, on the surrender of his licence for the plant consolidation grant. This vote is to take care of those applications that are yet to be dealt with in the programme, which will end at the end of this month, Mr. Chairman.

Mr. MacDonald: Mr. Chairman, I have one brief reaction to it, now that I discover what it is for. This is a very controversial area. Relating—if I don't stray more than one inch beyond the strict confines of this supplementary estimate—to the comment of my hon. friend from Huron-Bruce, if our purpose is to increase industrial milk production because of the shortage in the province, I have some doubt as to whether or not the programme that the minister is referring to is contributing to or detracting from that objective. I do not doubt that if a small plant comes to the point where it considers that it can't continue to operate and it goes out of business, this is of some assistance. But without thrashing through old straw or stirring old milk, or whatever may be the appropriate analogy at this point—

Mr. Breithaupt: Making old cheese.

Mr. MacDonald: —in many instances, certainly the farmers involved and the people involved in many of the local factories are persuaded that they were driven to the point of having to give up because of the problems in terms of plant supply quotas.

I must say that while I recognize the rationale of the whole proposition, I have never yet been completely persuaded of how the repeated closing of plants and therefore any economic incentive for their closing is really, at this time of a shortage of industrial milk, solving that overall problem. There is many a farmer who came to the conclusion of saying, "Okay, the heck with it. If that's the kind of situation that we are faced with,

in the inability to get an adequate quota to keep the plant going, then I will sell the cows and get out of business altogether."

Indeed it relates, if I may just very briefly tie it in with another thing, to the proposition of what in the overall is a desirable objective of moving toward bulk shipping rather than can shipping. But when your incentive programme is tied to bulk shipping, in some instances—how many, I don't know, nor does the minister know—farmers are going to say, "Okay, I won't bother getting an incentive programme." So he doesn't increase his production or else he goes out of it altogether too, and I have a fear we are making something of a bad situation worse.

I may be wrong on this. I am willing to concede I may be wrong on it, but it's not a black and white kind of situation. If I am wrong, I have got a lot of company out in the country among farmers, either just the producers or those who happen to be involved in the operation of plants, in some instances because they are co-operatives. Therefore, if I am wrong, they too are wrong and there is a bit of crisis of confidence and a desperate need on the part of the ministry or whoever else is involved to explain the whole thing a bit more clearly.

Mr. R. F. Nixon: Before the minister explains, I would like to say something about it as well. I remember when the consolidation programme was announced—would it be four years ago?—

Hon. Mr. Stewart: No. Just 1½ years ago.

Mr. R. F. Nixon: —it sounded like a good idea. I must say that it seems the attitude of some farmers, some people in the milk manufacturing business, the community at large, has changed quite dramatically. The concept can best be pointed out by the example of Plantagenet that the minister has heard about, that the leader of the NDP (Mr. Lewis) and others have talked about, where the factory is receiving its last milk Dec. 15. I believe it stopped making cheese a couple of weeks ago.

There was a response from the minister, when a question was put to him, that he felt the reason it was closing was because the ownership was going to get some of the grants that are either payable from this $800,000 or were paid from the fund which was depleted and which we now have to make up with the extra $800,000. I am not prepared to say who is right about that. I have talked to the owner and he said that it was because of the shortage of quota that they could not carry on at any sort of an efficient level, even for a small community cheese factory.

Once again, we are not voting or discussing the Ontario Milk Marketing Board, other than to say that it is established and most people believe that it serves the farmers. It doesn't serve the consumers; we don't believe that it serves the Minister of Agriculture. It is elected by and is designed to serve the producers and nobody else. Does the minister agree? Or has it got a broader responsibility? Does the OMMB serve the farmers, or is it the OMMB's job to serve the consumer?

Hon. Mr. Stewart: Well, I don't think there is any doubt about that. The Ontario Milk Marketing Board is a producer-elected board and it is there to serve the interests of the producers.

Now, how does one serve best the interests of the producers? Is it not to try and get as satisfactory a level of income for the producers as is possible to obtain? I thought that was what it was all about; and I have never heard anyone suggest otherwise.

Mr. R. F. Nixon: All right, all right. We are just talking about the award and quota and the fact that some of these cheese factories, even though they bought additional quotas, were still unable to get the milk through the OMMB because, as the minister said, the farmers were not prepared to produce it.

Hon. Mr. Stewart: That's right.

Mr. R. F. Nixon: Now, they are prepared to produce it for fluid quotas, and they are getting as high as, what, $9 and a bit more per hundred. For industrial milk the price is not as good, but there is a shortage. And the prices should be the same if the quality is the same.

We get back to what the member for Huron-Bruce was talking about. If the farmers are unwilling to convert to bulk shipment and so on, I believe there has to be a differential associated with the quality—and I suppose we might as well leave it at that point. My experience is that the quality of the milk from bulk shipment is obviously better and can be maintained better; it can be inspected at a higher level, and so on.

But I think we have got to the point in this province, surely, that if the milk is at the same quality it is going to have to be paid for at the same price; and if we can stimulate production we can fulfil the quotas of these small plants.

I tell you a personal feeling I have. And that is, if the only cheddar cheese we are going to get is from the big companies, like Kraft, then heaven help us. The Cracker Barrel brand looks good, it is advertised well, but it tastes like rubber. All right, so maybe the minister is frowning. I am glad to see that in eastern Ontario, Schneider has gone down and bought one of those cheese plants. But evidently they seem to be able to get sufficient quota so that the cheese produced there is going to be properly aged under a Schneider procedure and marketed as Schneider cheese; excellent cheese indeed.

But the thing that concerns me—I suppose I feel the same way as the member for York South—when this programme was first announced it seemed to me to be a pretty advanced and far-reaching programme to help the farmers through government intervention with money, to get the advantages of scale.

But it seems to have been scaled down to Krafts and Aults; and the community receiving station and the cheese factories, particularly in the eastern part of the province and elsewhere, are disappearing.

The farmers regret it and they sense an unfairness, mostly because they may not understand that the farmers themselves are responsible for the short supply. But in the long run, whoever has the responsibility to balance the farm economy—if anybody could take that on; in this province it is the Minister of Agriculture, with the assistance and co-operation of the Minister of Agriculture for Canada. They should, in my view, have adopted a single price for the quality of that milk and we might have stimulated the production. They are a little late in getting the price up to the point where the farmers are prepared to continue with the hard work and the heavy responsibility and worry of being in milk production on an economic scale.

I can't blame the Minister of Agriculture. Certainly we were not in a position to point out the folly of the programme when it began. But now that consolidation has been pretty effectively established, I believe there is time for a new approach to it and a recognition that consolidation has some of its aspects that are not as good as we had hoped.

It is inconvenient for the farmers and I don't believe that our markets are going to be expanding at the rate that they might if we had a different type of product; a product with quality certainly, but with some variations that could have an improvement in the market.

Mr. Chairman: The hon. minister.

Hon. Mr. Stewart: Mr. Chairman, I would like to reply to the comments that have been made. I'm not sure I can explain the situation adequately. When the plant consolidation programme was implemented, it was implemented quite simply—and I have said this before in this House—to help a great many farmer-owned or co-operative plants out of the incredible financial difficulties in which they found themselves.

We had many delegations coming from the smaller cheese factories across this province to meet with me in my office. I had delegation after delegation of these operators, saying they simply could not make ends meet in the high-cost economy in which they found themselves and with the fixed price that was established by the Milk Marketing Board for industrial milk that was going into cheese factories.

In the previous years, if I may take a few minutes time, Mr. Chairman, you'll recall that when the farmer-owned cheese factories handled the milk from the producer, it was processed into cheese and the cheese was sold. The cost of making, including the maker's salary and all expenses in connection with the factory, was taken out and the balance was returned to the farmer many months after the milk had been sold. Now, that was the form we had.

When the Milk Marketing Board established the class 2 pool, which was the industrial pool for milk going into cheese, powder and butter, they set a minimum price. The cheese factory had to buy the milk from the marketing board and pay for it within a given period of days—by the 20th of the following month in which they received it, I believe.

They found themselves caught between the minimum price they had to pay and the price the cheese was selling at up here. They didn't have any leeway at all. They were caught right in there and they simply couldn't make it go.

They came to me and said, "What can we do? We simply have to get out of this business. There is no way we can carry on." They showed me case after case of the debt load they had. Some of them were under mortgage, and many of them were under operating deficits at the bank. A good many of those farmer-owned factories had the board of directors' names' on the back of a jointly and severally signed note, which didn't mean that every one of them was going to have to be sued but that the bank could sue which-

ever one they thought they could get the money out of. They said, "What are we going to do?"

Subsequently, we implemented the plant consolidation programme because they said, "Obviously we can't all carry on. Now what do we do?" We appointed Mr. William Murchie and Mr. Murray Stewart, both of whom had extensive knowledge in the field, to go out and explore the possibilities of what we could do in the matter of the oversupply of processing facilities in this province.

They came back with a recommendation that we implement a plant consolidation grant, based on the amount of plants' supply quotas to those processing plants; we would pay a grant after they sold their quota to help get them out of the debt situation in which they found themselves. That was back in the years 1970 and 1971. We finally implemented the programme, I believe, on Sept. 1, 1972.

In the year 1972 there was a great increase in the price of cheese. There is no question of it at all. Cheddar cheese escalated in price; it hit the highest price on the Belleville exchange that it had ever struck. Many of these smaller cheese factories immediately began to make some money, because the industrial milk price had not escalated in accordance with the end price of cheese on the board. As a result, there was a pretty substantial profit in there, and I'm not complaining about that. It was fine and dandy for them; they made money for the first time in years. Immediately, they started to scream about getting their hands on more milk: "We have to have more milk." Now, several of them came to me and said, "What do we do? We can't get more milk from the board because the board has implemented the plant supply quota." That plant supply quota was implemented with the full consideration of the processors' council, including the cheese factories and the butter plant operators, and the Milk Marketing Board, and our Milk Commission. They were offered the opportunity in the first stages of buying milk by auction, or buying it on a plant supply quota, where every plant got the same percentage of the available sources of industrial milk.

Obviously they weren't getting enough, because our use of fluid milk in the class 1 pool was escalating, it was going up. More milk was being used by the consuming public, more volume of the products manufactured from class 1 milk, resulting in more demand in that pool. So many of the industrial shippers who were on bulk and had the same quality—I agree with what my friend from Brant says, they had the same quality of milk —simply transferred into the class 1 pool as the opportunity became available. That generated again a scarcity of milk in the industrial pool, and so the industrial plant supply kept on going down. A great many farm people, disenchanted with milking cows 365 days of the year, gave up the business, they just quit and sold their cows, and sold their industrial quota, whatever it might be—and it wasn't selling very high, believe me, but they got rid of it.

Now all of this resulted in less and less milk. The plant supply quota kept on going down, but at the same time the cheese price kept strong. As a matter of fact it wasn't nearly as strong for the first six months of this year, but just in the last two or three months I have heard the report from the Belleville exchange—as today, when cheese is up in the 78 cent, 79 cent range again. Now they are able to make money, there is no question of it. But the milk is not available.

Now the plant consolidation programme was in effect, and admittedly had those people been able to get their hands on sufficient industrial milk—and I really don't know what that figure would have been; it would have been long beyond what their plant supply quota really was, because they were doing well enough out of it that they just couldn't get their hands on enough milk. If I had been one of them I would have felt the same way as they did.

They went out and tried to buy from other factories. Some of them were able to. But unfortunately as year after year progressed the available sources of industrial milk kept decreasing so the percentage, even of plants that they had bought out, decreased accordingly. They just simply don't have the milk that they would like to have.

The plant consolidation programme, in my opinion, had nothing to do with farmers going out of milk production, because the Milk Marketing Board has attempted, in every instance where a factory or a processing plant has decided to close up shop, to arrange for the can shippers to ship to some other plant. It happened in two factories in my own constituency, one right in my own neighbourhood. And I must say that when the factory in our neighbourhood closed there were, I believe, only four or five shippers to that factory who held shares in the factory. All the shares were held by people who were no longer milk shippers in that area.

I really don't think that we can say that the Milk Marketing Board has not tried to accommodate the people, but it has not been able

to provide sufficient volume of industrial milk.

My friend from Huron-Bruce raised the point about can shippers. There has been no regulation applied here, even though it has been discussed, that would require all milk to be shipped in bulk by a certain date. And I can tell you there are all kinds of thoughts that that should be done. I am sure my hon. friend from York South would have heard it discussed at the conference recently.

I have taken the position that it would be much more appropriate to encourage the transfer from cans to bulk through some incentive programmes. That is happening now through our industrial milk production incentive programme. As of Nov. 20—and I believe I gave these figures earlier—778 loans were approved for a total of $9.25 million, with an increase over the next two years of 119 million pounds of milk—that is industrial milk.

Mr. Gaunt: How many of those loans would be for the transfer from can shippers to bulk?

Hon. Mr. Stewart: I can't give you that answer. I don't have all the figures. I don't know whether they would be entirely for that purpose. There could be some can shippers who transferred to bulk. I am sure there are many; I can't tell you how many, but I would be doubtful if there were very many.

You see, when you transfer from can shipping to bulk shipping, you need a bulk tank and so that is included in the deal as well as a milk house. There is a pretty hefty increase as of Nov. 20, and the committees have been meeting almost on a daily basis ever since, so there is a substantial number that have gone well beyond that figure now. So I can't really say what they—

Mr. MacDonald: Before the minister leaves this topic, could I ask him to address himself directly to this point? Isn't there a potential conflict in the motives of the industrial production incentive programme? If its objective is increasing production, I have been told most emphatically by farmers who are involved that you are not going to get it if you force them to switch from cans to bulk.

Hon. Mr. Stewart: That's not so.

Mr. MacDonald: What do you mean? You read the industrial incentive programme. You can't get the loans—

Hon. Mr. Stewart: That's right.

Mr. MacDonald: —unless you switch from cans to bulk.

Okay. I am asking, if your objective is to increase production, why are you mixing up in that process the mandatory requirement to switch to bulk, because in some instances instead of paying the cost they are going to say to heck with it, because they are contemplating it anyway?

Hon. Mr. Stewart: I see what my friend is asking now, Mr. Chairman. Yes, that is quite true. We do not pay the grant toward can shippers; that's the 20 per cent forgivable clause.

Mr. MacDonald: Right.

Hon. Mr. Stewart: For the simple reason there are no more can washers being manufactured. In some of the plants there are now can washers in a great state of disrepair and the only way they can fix them is to go to the local machine shop and have them manufacture on-the-spot repairs to try to keep them going. It's simply out of date.

Mr. R. F. Nixon: Those cans are worth $25 each.

Hon. Mr. Stewart: I don't believe you can buy a new milk can anywhere, either an 80-lb or a 100-lb can. As my friend says, they are $25 each.

Mr. R. F. Nixon: They are almost antiques.

Hon. Mr. Stewart: I would say they are worth an awful lot more as antiques than they are for anything else.

Mr. MacDonald: Tell the member for Algoma (Mr. Gilbertson) he can bring his maple syrup down in them.

Interjections by hon. members.

Hon. Mr. Stewart: I can tell you that at the time I had my sale in 1948, I put up several 100-lb milk cans; six of them still sit in my attic. You couldn't even get a bid on them at the sale.

Mr. R. F. Nixon: They are more valuable now. You were wise to keep them.

Hon. Mr. Stewart: Maybe they have paid off; I just don't know.

Mr. H. C. Parrott (Oxford): They sell for $60.

Hon. Mr. Stewart: I'll tell you, if my friend would offer me $25 apiece, I think he'd own such a can.

Mr. Ruston: We'll get the auctioneer to auction them off.

Hon. Mr. Stewart: My friend says: "Are we negating our purpose?" I can't give you a yes or no answer. My guess is that there are some people who, because of age or health or whatever it may be, will say: "We're not going to invest in this industrial milk programme. We'll give up." But they are saying it anyway. Before we ever put this programme into effect, they were saying that; and statistics indicate it will go on.

Mr. MacDonald: It was; but they'll be getting out now rather than five years from now, and you've got a shortage of milk.

Hon. Mr. Stewart: Perhaps, but figures indicate that the can shippers are not the big volume shippers. They never have been. We feel – and I say this quite honestly and whether it works or not I don't know–

Interjection by an hon. member.

Hon. Mr. Stewart: But, Mr. Chairman, I believe that if a farmer is persuaded to buy a bulk tank–

Mr. R. F. Nixon: If we all ship a little, we'll all ship a lot.

Hon. Mr. Stewart: –his first ambition is to have it filled with milk and so he'll buy more cows; he'll produce more milk; he'll upgrade the quality of his production and all the rest of it. I feel that while we may lose a few, we'll gain a great many more.

On top of all that, it provides the opportunity for that farmer, should the opportunity arise, to transfer from an industrial shipper to a class 1 shipper immediately. There are no class 1 shippers who are can shippers any more. They are all bulk shippers.

Mr. MacDonald: Then you'll end up with even less.

Hon. Mr. Stewart: Frankly, I feel that we are on the right track. We had to make that decision and we made it on that basis. Mr. Chairman, the $800,000 is for plant consolidation.

Vote 1704 agreed to.

Mr. Chairman: This completes the supplementary estimates for this ministry.

SUPPLEMENTARY ESTIMATES, MINISTRY OF THE ENVIRONMENT

On vote 1801:

Mr. Chairman: Perhaps we might have an explanation of this.

Mr. R. F. Nixon: Mr. Chairman, I presume that this payment is for those industries which have undertaken pollution abatement controls under the provisions of the bill, which is now 1½ years old? Is it that old?

Hon. J. A. C. Auld (Minister of the Environment): It is older, I think, because it seems to me it expires after five years and ends in 1975.

Mr. R. F. Nixon: I wonder if the minister could tell us something about why it's necessary to have a supplementary estimate of $1 million? Has the programme been more successful than he anticipated? Are more people getting applications into the department for assistance in pollution abatement?

Hon. Mr. Auld: Basically, Mr. Chairman, I suppose there are three reasons. To give the committee an indication, in 1972-1973, we estimated expenditures to be $2,750,000; actually they amounted to $2,307,000. There were about 664 claims processed and of these 654 were for amounts under $50,000, and that totalled $1,186,000. The remaining 10 claims totalled about the same amount of money.

The first point is that it is very hard to predict what the end result will be when you get a few very large claims. The applicant is to get a rebate of the provincial sales tax which, of course, is now seven per cent and used to be five, on that portion of new equipment which is for anti-pollution measures. The applicant must make application before the end of January in the year following the calendar year in which the expenditure was made.

This year, we presently estimate that, aside from the increased activity in both air and water, we will be getting two particularly large claims. One is from Falconbridge Nickel Mines for $492,000 on the sulphur-recovery plant in the new operation. We have one now from Dow Chemical of $250,000 which is in the new $37 million chloralkali operation in Sarnia which replaces the old mercury-cell operation there and the mercury-cell operation in Thunder Bay. It has apparently progressed more rapidly than we had exepected because we are now expecting, before the end of January, a further claim in the amount of $750,000. Those amount to about $1.5 million.

Looking at the situation as we know it from our certificates of approval and the estimates that we have had from air management and from water, it would now look as though we will be requiring a total expenditure of $3¾ million dollars this year instead of the $2¾ million which we budgeted for a year ago.

Mr. Chairman: Shall this vote carry?

Mr. J. E. Stokes (Thunder Bay): Is there any money in this vote for the studies that are going on to assist remote communities in the north to get involved in the delivery of sewage and water systems?

Hon. Mr. Auld: No, that is in another item. I haven't got it in front of me. This is strictly the rebate of provincial sales tax on anti-pollution equipment for municipalities, industry, whatever, as set out in the Act.

Mr. Chairman: The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, does any of this extra money go to the enforcing of regulations pertaining to noise levels?

Hon. Mr. Auld: No.

Mr. Burr: Are these regulations being enforced before the end of the year as was indicated by Dr. Tempelmeyer during the summer?

Hon. Mr. Auld: Mr. Chairman, the answer to the first part of that is 'no'. The noise regulations aren't in this vote but we are presently testing them as far as vehicles are concerned in Toronto and Hamilton. Once we have had some experience, both with our own staff and with the police, we expect to have the first regulations presented.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I wanted to ask the minister if under this vote the minister is giving consideration to additional monitors in the Windsor area so that we could monitor the transboundary flow of pollution from Detroit in other areas in addition to the location you have now; and, in addition, have monitors to the east of the Ford Motor Co. Foundry so that you could, once and for all, inform the people of the extent of the pollution emanating from the Ford foundry.

Hon. Mr. Auld: Mr. Chairman, this relates only to the Pollution Abatement Incentive Act; the hon. member is talking about the Environmental Protection Act.

Mr. Chairman: Is there anything further on this particular item?

Vote 1801 agreed to.

Mr. Chairman: This completes the supplementary estimates of this ministry.

It being 6 o'clock, p.m., the House took recess.

APPENDIX

(See page 6716)

The answer to a question was tabled as follows:

33. *Mr. Singer*—Inquiry of the Ministry: 1. What are the provisions of the recent contract let by Ontario Hydro for the construction of a dam in the Arnprior area? Without limiting the comprehensiveness of the answer, (a) On what date was the contract awarded and in what amount? (b) Is the contract for the whole project or only a portion of the project? (c) To whom was the contract let? (d) Were tenders called and if so, from whom were bids received and in what amounts? (e) If no tender call was issued, how was the contractor to whom the contract was let, selected? What other contractors, if any, were considered and what proposals or bids, if any, did they make? (f) Who are the officers and directors of the contractor to whom the contract was let? (g) Before the contract was let, did Ontario Hydro receive advice on the advisability of the project from a private consulting firm and, if so, what is the name of the firm, who are the partners or officers and directors? 2. Will the ministry table the contract in question and, if such a report exists, will the ministry table the report of the consultans?

Answer by the Ministry of Energy:

1. Ontario Hydro awarded a contract for the construction not of a dam in the Arnprior area but of a diversion sluiceway as follows:

(a) date contract awarded—Aug. 27, 1973 in the amount of $5,478,941.75.

(b) The contract is not for the whole dam but is for work associated with the construction of the diversion sluiceway (not including the rollways).

(c) The contract was let to C. A. Pitts General Contractor Ltd., 30 Commercial Rd., Toronto, Ont.

(d) No tenders were called.

(e) The contractor was selected on the basis of an experienced Ontario contractor who had recently completed, to Ontario Hydro's satisfaction, the major civil contract at the Lower Notch hydraulic generating station and who had the plant and supervisory personnel available to get the work under way quickly so as to avoid winter concreting and meet the construction schedule.

(f) The officers and directors of C. A. Pitts General Contractor Ltd. are reported to be as follows:

Officers: S. C. Cooper, P.Eng., President; W. C. Cole, P.Eng., Senior Vice-President, Operations; J. D. Jarrell, B.Comm., Senior Vice-President, Administration; H. A. Bradley, P.Eng., Vice-President and Chief Estimator; J. C. Boland, QC, Vice-President and Secretary; W. A. Barrie, P.Eng., Vice-President; N. A. Harrison, CGA, Assistant Treasurer and Comptroller; S. J. Viger, Assistant Treasurer; Y. Forget, Vice-President, Pitts Quebec Ltd.; I. Morton, President, Cliffside Pipelayers Ltd.

Directors: A. L. Beattie, QC; J. C. Boland, QC; W. C. Cole, P.Eng.; S. C. Cooper, P.Eng.; J. D. Jarrell, B.Comm.; D. J. McDonald, B.Comm.; I. Morton.

(g) Before the contract was let, but after conditional project approval had been authorized, Acres Consulting Services Ltd. were retained for the performance of engineering, site inspection and project management services. Acres participated in a geotechnical feasibility study in the fall of 1971. A joint report was prepared by the staffs of Acres Consulting Services Ltd. and Ontario Hydro.

The officers and directors of Acres Consulting Services Ltd. are reported to be as follows:

Senior Officers: H. C. Rynard, President; L. R. Thomas, Vice-President and Director of Operations; J. M. Gardiner, F. H. Jonker, S. Tibshirani, Vice-Presidents and Group General Managers; D. F. Haslam, Secretary-Treasurer.

Directors: J. M. Gardiner, R. O. Hedlin, F. H. Jonker, D. H. MacDonald, R. A. Pillman, H. C. Rynard, G. R. Sharwood, J. H. Smith, L. R. Thomas, J. G. S. Thomson, S. Tibshirani, J. G. Warnock.

2. The contract in question contains the unit prices for the work. Since Ontario Hydro is about to call tenders for the completion of the rollway sections of the sluiceways and the construction of the powerhouse and main dam, it is not considered prudent to make these unit prices public since it might prejudice the tendering.

(A copy of the geotechnical feasibility studies prepared by Acres Consulting Services Ltd. and Ontario Hydro is tabled as Sessional Paper No. 121.

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Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Thursday, December 6, 1973

Evening Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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1978

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 6, 1973

The House resumed at 8 o'clock, p.m.

SUPPLEMENTARY ESTIMATES, MINISTRY OF GOVERNMENT SERVICES

On vote 805:

Mr. Chairman: Vote 805 of the Ministry of Government Services. Perhaps the hon. minister may wish to explain what this is for.

Hon. J. W. Snow (Minister of Government Services): Mr. Chairman, this vote is for an additional expenditure of $1.25 million for the increase granted by Management Board for the provision of an increase for retired civil servants under the Public Service Superannuation Act.

Mr. J. A. Renwick (Riverdale): Mr. Chairman, perhaps the minister would translate it out of the global amount and out of percentages, and into the number of pensioners who were benefited; and the number of dollars and the range of dollar benefit that they receive because of this proposed expenditure?

Hon. Mr. Snow: I do not have the detailed information here with me this evening, Mr. Chairman, but it is—

Mr. Renwick: We could stand it down, Mr. Chairman.

Hon. Mr. Snow: —a four per cent increase for pensioners, I believe, prior to 1971 retirement, and a two per cent increase for those who retired during 1971.

Mr. Renwick: Mr. Chairman, that's exactly the reason. The minister comes before us here with these global figures and percentages, and when it actually comes to talking about people and the number of extra dollars which they are going to get and whether or not that's adequate the minister doesn't have the information, so we have no basis on which to have a discussion of the problem which is involved.

Hon. Mr. Snow: Mr. Chairman, I think we're all relatively familiar with the public service superannuation plan and the way it works—the pensions. This is an increase that was granted to increase the pension payable by these percentage figures, taking into consideration the increase in the cost of living.

Mr. Chairman: Shall this vote carry?

Mr. Renwick: Mr. Chairman, perhaps on a point of order: Could I ask whether we're going to waste our time this evening dealing with supplementary estimates with ministers who are not informed about the substance of the moneys which they're asking?

It would appear to me that the sensible thing, in dealing with supplementary estimates, is for the minister to stand up, give a full and adequate explanation of it and expedite the business of the House. Now if they don't have the information; these are supplementary estimates, stand them down and we'll deal with them tomorrow.

Mr. Chairman: It seems that the minister has given the answer as he sees it.

Mr. J. E. Stokes (Thunder Bay): He has not.

Mrs. M. Campbell (St. George): He has given no answer.

Mr. Chairman: The reason for the increase, which is what this vote has to do with—

Mr. Stokes: You don't come here asking for $1.25 million without giving answers.

Mr. E. R. Good (Waterloo North): Is there any amount in here related to an automatic escalation clause on these pensions related to the cost of living? If not, what progress is being made on the government's promise that there would be an escalation clause built into the superannuation pension?

Hon. Mr. Snow: Mr. Chairman, no; this does not make any provision for any automatic escalation clause in the public service superannuation plan. There are studies going on at the present time. I expect a report very early in the new year as to the result of certain studies that we've asked for regarding all the government pension plans. This is an interim allowance that was approved about two months ago.

Mr. Chairman: The member for Wellington South.

Mr. H. Worton (Wellington South): Mr. Chairman, I would like to ask the minister if there has been any progress made in regard to the accepting of the war service of the members of the civil service? In other words, there was a recommendation made to Management Board that any employee in the civil service would be given the opportunity to pick up the time served in the services from 1939 to 1945. Have you reached a decision on this yet?

Hon. Mr. Snow: Mr. Chairman, that is one of the proposals that we are considering. I expect that I will be bringing forward amendments to the Public Service Superannuation Act in the spring session.

I know, Mr. Chairman, that this is one of the matters that we are giving very serious consideration to, and if there is any finalization to be made to this matter it will be done in an amendment to the Act in the spring session.

Vote 805 agreed to.

Mr. Chairman: This completes the supplementary estimates of the Ministry of Government Services.

SUPPLEMENTARY ESTIMATES, MINISTRY OF NATURAL RESOURCES

On vote 2102:

Mr. Chairman: On vote 2102, the Ministry of Natural Resources. The hon. member for Welland South.

Mr. R. Haggerty (Welland South): Yes, I would like to ask the minister some pertinent questions dealing with the $10,775,000 that he is asking for in this additional vote. Could he explain in more detail the $7.5 million for land and water protection? What is that for?

Hon. L. Bernier (Minister of Natural Resources): Yes, Mr. Chairman, I would be glad to. The special $7.5 million under item 2 of vote 2102 deals with the special emergency assistance programme. It is a programme in which the province and the municipalities share on an 80-20 basis the cost of works of an emergency nature undertaken by the municipality to maintain an adequate level of service by repairing damage to, or preventing flooding or erosion of, facilities.

For example, that would include cost of road repair, dike repair, pumping of flood waters, temporary dikes and other protective works for which a municipality is directly responsible, thereby providing alternative means or facilities.

The programme is being administered by the subsidies branch of the Ministry of Treasury, Economics and Intergovernmental Affairs. As of Nov. 30, 1973, just a short period ago, the subsidies branch advised that it has received applications under this programme totalling $5.4 million, of which $3.6 million have been approved; the balance, of course, being under consideration.

The funds requested will also enable the government to move more expeditiously should further flooding occur this year.

Mr. Chairman: Anything further on the emergency assistance programme?

Mr. I. Deans (Wentworth): I was listening and trying to catch what was being said. I want to understand it. Is some of this money being directed toward the protection of the shorelines that are about to be damaged again this year by the high levels of the lakes?

Hon. Mr. Bernier: No, Mr. Chairman. This particular programme was a programme that was worked out very closely with the municipalities, and the programme to which you are referring is a programme that is funded under the ARDA programme. That is being directed and operated under the Conservation Authorities Act; they are carrying the jurisdiction in southeastern Ontario.

There are two separate programmes. This is the 80-20 programme under which we moved in very quickly during the flooding of southeastern Ontario and assisted the municipalities to the tune of $7.5 million.

Mr. Deans: That is fine, because that is exactly what I wanted to talk about. I wanted to be clear.

I don't think I am going to be gazing into my crystal ball and telling you that what we suffered last year by way of damage and erosion of shorelines—public shorelines as well as private—is about to re-occur, and I don't think that I am predicting doom and gloom by telling you that. I think that anyone in this House who has anything at all to do with the shoreline of Lake Erie or Lake Ontario can already see the beginning of the breakup that is going to occur along the shoreline.

There just isn't enough money being made available for shoreline protection. There is no point in going through this 80-20 business

year after year, spending $7 million, $8 million, $15 million or $50 million, putting back together what has already been destroyed by the high water levels—and that appears to be the government programme.

It looks to me as if there is absolutely nothing being planned by way of an ongoing attempt by this government to provide protection along the shoreline for the residents—not only for the residents but for the public property along the shoreline—and this $7.5 million that you are talking about is a drop in the bucket compared to what's going to be needed.

It's easy enough for the minister to sit and shake his head, but the 80-20 arrangement relies entirely on municipalities becoming involved.

Mr. Haggerty: They have some responsibility.

Mr. Deans: Of course they have some responsibility—

Hon. Mr. Bernier: Get your facts right.

Mr. Deans: —but obviously municipalities relying on the municipal tax base have extreme difficulty in raising the money necessary to protect the public property on the shoreline. Even you must understand that.

If we don't have a programme of protection for that property, at some point or other, whether it be next year or 10 years from now, we are going to be into massive expenditures. Perhaps billions of dollars will have to be spent in trying to protect roadways and other public property; and at some point, I suppose, in trying to reclaim private property, because we'll feel a sense of obligation.

I want to ask the minister whether he has any responsibility in the overall picture of trying to find an adequate long-term solution for the difficulties that we are encountering each fall and spring? Are there any ongoing discussions between this minister and the policy minister about a long-term solution so that we don't have to be coming back year after year for this and, as I predict, coming back in the spring for another $50 million or $100 million?

Hon. Mr. Bernier: Well, Mr. Chairman, let me say first that I am surprised at some of the member's comments—

Mr. Deans: Oh, I am sure you are.

Mr. Renwick: You are always surprised.

Mr. Deans: Please don't be surprised.

Hon. Mr. Bernier: I am very surprised, because no government—

Mr. Deans: Don't be surprised.

Hon. Mr. Bernier: No government has responded any quicker than this government to the emergency situation that developed in southwestern Ontario.

Mr. Deans: That's nonsense. That is absolute nonsense. This government was made aware of the fact six months before you even moved.

Hon. Mr. Bernier: No government has—and you know it.

Interjections by hon. members.

Mr. Deans: It was six months before you even moved.

Hon. Mr. Bernier: We responded, we were there—

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): This is the last week, Ian. Settle down.

Hon. Mr. Bernier: Go down to southwestern Ontario, talk to the municipalities; talk to the people in southwestern Ontario and find out how this government responded to that situation.

Mr. Deans: That's tripe.

Mr. Renwick: No wonder you were surprised.

Hon. Mr. Winkler: I was there myself. Don't tell me that, Jim.

Mr. Stokes: Never mind the histrionics, Eric.

Hon. Mr. Bernier: We're spending $7.5 million and $16 million under the federal government's ARDA programme—an ongoing programme to do exactly what you are talking about—and you have the nerve to stand up in your place and condemn us for not acting fast enough. Mr. Chairman, I have no further remarks.

Mr. Renwick: Well, you are not going to get your money.

Mr. Stokes: That's righteous indignation over there.

Mr. Deans: In September, 1972, I attended a meeting—I suspect probably my colleagues from the peninsula also attended the meeting, or at least attended similar meetings—

Hon. A. Grossman (Minister of Revenue): Where did you go after you left the hairstylist's, Ian?

Mr. Deans: —at which time there were communications with the Premier of the province (Mr. Davis) with regard to the impending difficulties on the shorelines of Lake Ontario and Lake Erie. That was September, 1972, and you came in here in the spring. Are you telling me you responded quickly to the problem?

Hon. Mr. Winkler: The next day.

Mr. Deans: It was six months from the time that you first had it brought to your attention that there was a problem already under way and was likely to cause extreme difficulty. It took you that long to come in with a programme.

Mr. Renwick: And you permitted irreparable damage to be done.

Mr. Deans: Then, after waiting for six months, you made it so difficult for the money to be available to the people, you went through such a great long procedure of having to apply through municipalities to get it, and required municipalities to expend funds in order to make inspectors available to inspect properties, that in fact the work didn't get done in many municipalities until September of this year. And you are saying you responded quickly! You didn't respond quickly at all. You didn't even respond until the water was up around your backside.

Mr. J. M. Turner (Peterborough): Don't be ridiculous.

Mr. Deans: That was your difficulty. You had to see it; you had to have it lapping over your shoes personally before you could understand what the problem was.

Mr. Turner: Come down to earth. Where have you been?

Mr. Deans: I have seen it. I was there. What I want to ask you, and I did ask you—perhaps you could begin to answer the questions rather than putting on a big show.

Interjections by hon. members.

Mr. Deans: Okay, now we've got that out of the way let's get down to business. What kind of an ongoing programme are you going to come forward with that will begin to meet the problem of the shorelines of Lake Ontario and Lake Erie and other areas of the province over the next two or three or four years? What is it that you are planning to do? I was in Washington on—when was I in Washington?

An hon. member: I don't know, I didn't even know you were there.

Mr. E. M. Havrot (Timiskaming): On government business?

Mr. J. H. Jessiman (Fort William): Government business?

Hon. Mr. Bernier: This is 1973.

Mr. Deans: I was in Washington on Oct. 2.

Hon. Mr. Winkler: What were you doing there?

Mr. Deans: I met with the American chairman of the International Joint Commission, and he—

Hon. Mr. Winkler: Is he a socialist too?

Mr. Deans: Oh, hardly, hardly. An appointee of Richard Nixon, a socialist?

Hon. Mr. Winkler: Why did you confer with him, then?

Mr. Deans: I conferred with him because he happens to be the person in charge. Unlike your government I went there.

Hon. Mr. Winkler: You don't believe them anyway. You don't believe anything that's been decided.

Mr. Deans: No. He indicated that the US were prepared to embark on a programme of—

Mr. Stokes: Try to be relevant, Eric.

Mr. Deans: He indicated that the US—

Hon. Mr. Winkler: Relevant? That is one thing you don't know.

Mr. J. F. Foulds (Port Arthur): Irregardless of your natural temperament.

Mr. Deans: What I'm trying to tell you is—and I've told the provincial secretary—he indicated that the US were prepared to embark on a programme of deepening the St. Lawrence Seaway in an effort to allow more water through the channel, and thereby to eliminate the difficulties they have in the port of Montreal and the Montreal area with flooding, if they allowed more water through the locks.

I want to know whether the Province of Ontario has met with its neighbouring states, whether it has met with the federal government in Ottawa, whether it has met

with the federal government in the US or any representatives of the federal government, whether it has met with the International Joint Commission to discuss the feasibility of a programme such as this. Because I don't know whether it is feasible or not; I can't make the judgement. But I know that it certainly sounded reasonable.

Have there been meetings taking place with these bodies in order to determine whether or not it is a practical solution to a problem which is likely to be with us for a long time; whether the cost of such a programme, which will be shared no doubt by the federal and provincial governments and the state and federal governments of the US, is within the realm of possibility, financially, to embark upon; whether this government has any study or any kind of indication coming forward from the cabinet that you might be prepared to do something along that line, rather than spending money year after year simply shoring up after the damage is done?

Hon. Mr. Bernier: Mr. Chairman, if I may reiterate what I said earlier, the response of this government was second to none, really.

Mr. Deans: Oh, all right.

Hon. Mr. Bernier: I will say to the hon. member that if he looks back in history and looks up the water levels of the Great Lakes he will see a cyclical condition, where in 1954 a select committee of this Legislature was set up—

Mr. Stokes: It makes you a little bit sick, doesn't it?

Hon. Mr. Bernier: —to examine and to report to the Legislature on the low water conditions of the Great Lakes. Twenty years later the situation developed. It is a cyclical situation, directly—

Mr. Deans: I understand all that.

An hon. member: Twenty years without one thing being done.

Hon. Mr. Bernier: —related to the Great Lakes water basin, to the watershed, to the precipitation that occurs in that particular area; and certainly we responded, because it was an emergency situation.

I was personally involved. I was called out of cabinet one day and directed by the Premier of this province to go down to western Ontario to meet with the people, to meet with the municipalities and the people on Pelee Island, and to come back and report and to come up with a programme; and we did just that.

Mr. Deans: Beautiful, and I am glad you went.

Mr. Renwick: Really pleased.

Mr. Deans: But that is not what I am asking you.

Hon. Mr. Bernier: We came up with a programme in an emergency situation, which was accepted and very much welcomed by the municipalities in southwestern Ontario, I might admit. If you will go down there and speak to those people, the situation was well in hand. Now you say, what is your ongoing programme?

Mr. Deans: That's the question.

Hon. Mr. Bernier: Yes, we have an ongoing programme. We are in discussions with the federal government. The Minister of the Environment (Mr. Auld) is dealing on a regular basis with the IJC trying to resolve the high water levels on the Great Lakes. It is a situation that is very complex. I think we all accept that fact, and it's not solved with the mere signing of an agreement. There's more to it than that. There are many involvements and there are very few controls on the Great Lakes at the present time which could assist the control of the water levels on the lower Great Lakes. There are problems there.

We are dealing very closely with the board, and the federal government does have a commission established in Burlington which is working very closely with my ministry and with the Ministry of the Environment. Following those preliminary discussions we did come to a $16 million agreement with the federal government on an ARDA programme, which is moving ahead very effectively, for the construction of dikes for the protection of those areas which are subject to flooding in these periods.

The programme is ongoing. We are going to be on top of it and I am confident, Mr. Chairman, that what we are doing here and what we are doing under the ARDA programme is something that will be acceptable and will meet the needs of the province.

Mr. Deans: Mr. Chairman, that's not even what I wanted to know.

Mr. Chairman: Order. It seems to me from the discussion that this particular item has nothing to do with the general programme.

Mr. Deans: Of course it has.

Mr. Chairman: This programme? No.

Mr. Deans: This is the cornerstone of the programme.

Mr. Chairman: Order, please. This vote is for the transfer of payments to municipalities, it is not the general vote.

Mr. Deans: This is the cornerstone of the programme. It's the expenditure of these funds that keeps the programme alive.

Mr. Chairman: The remarks of both the minister and the member have been out of order as far as this vote is concerned.

Mr. Stokes: You just don't grasp the situation, Mr. Chairman.

Mr. Chairman: I don't understand it! Are you telling me—

Interjections by hon. members.

Mr. Deans: I want to ask the chairman for a clarification.

Mr. Stokes: Is the minister going to—

Mr. Chairman: Order please. The discussion is on this particular item, the transfer of payments to municipalities. That's the only programme under discussion.

Mr. Deans: I want to ask the chairman, for clarification, is it unreasonable to discuss the merits of transferring the money to the municipalities over and against the merits of another way of dealing with the problem?

Mr. Chairman: We are dealing with this—

Mr. Deans: No, I am asking; you are asking me to give them permission to spend $7 million?

Mr. Chairman: You are asking for direction. There is $7.5 million being voted, presumably for transfer to the municipalities for this particular programme. That's all the programme that's under discussion.

Mr. Deans: Surely I am entitled, in discussing whether or not they should have permission to spend the $7.5 million, whether the money could be better spent in another way.

Mr. Chairman: No, It's for this purpose.

Mr. Deans: For God's sake, don't be ridiculous. I am entitled to say if the money is being misspent and should be spent in another way.

Mr. Chairman: Order. I am sure the member doesn't want to talk like that.

Mr. Stokes: Why are you being this way? Do you want to go home? Are you getting tired?

Mr. Foulds: On a point of order.

Mr. Chairman: Order please.

Mr. Deans: I challenge your ruling. This is ridiculous and I challenge that ruling.

Mr. Chairman: Order, please.

Mr. Foulds: On a point of order.

Mr. Chairman: No, I made the ruling and there's no debate on it.

Those in favour of the chairman's ruling will please say "aye."

Those opposed will please say "nay."

In my opinion the "ayes" have it.

We are dealing with this particular programme.

Mr. Haggerty: Mr. Chairman, as I understand it this will be a contingency programme for 1974. This will be a contingency programme for the year 1974? This will carry on in the year 1974, will it? Or is it just past money that's been spent on building and reconstruction of dikes and roads in the municipalities?

Hon. Mr. Bernier: No, Mr. Chairman, this is for the fiscal year 1973-74. The money has been spent. It's not an ongoing programme. It has nothing to do with next year.

Mr. Haggerty: What I wanted to say, Mr. Chairman, was that I think the member for Wentworth is quite right in one of the matters he has mentioned. There was a little delay in getting approval; and I think this can go back to the Treasury and Ministry of Economics. I know of a case in the town of Fort Erie; I believe the province did participate in rebuilding a road of about ⅝ of a mile long, and I think there was a subsidy of about $68,000 or something like that. I will say this much, it was greatly appreciated by that municipality.

Mr. Stokes: Sure, there is a good member there.

Mr. Haggerty: I also know that there are others concerning ARDA programmes. There is a problem that lies within the city of Port Colborne and the municipality of Wainfleet. It is creating quite a problem on the flood level plain in that area the water just will not drain out into the lake with the high levels of water. Perhaps there is going to have to be a major programme, some type of a lift pump

put in so that they can drain the area. I don't know if you have any requests for looking into it or not.

Hon. Mr. Bernier: No, Mr. Chairman, I have no knowledge of any direct requests for that particular situation, but certainly I can assure the member that we are monitoring all the areas of southwestern Ontario with regard to claims.

Mr. Chairman: The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Chairman, could the minister give us some idea how this $7.5 million is being divided or has been divided, amongst the municipalities?

Hon. Mr. Bernier: Mr. Chairman, I regret I don't have the breakdown. I just have the dollar amount. We received applications from the municipalities for a total of $5.4 million to date and $3.6 million has already been paid out. The balance is waiting for approval. But to give you an exact breakdown—

Mr. Stokes: You want us to sign a blank cheque. That's what you are saying.

Hon. Mr. Bernier: In the situation of an emergency, it was just a matter of a few short weeks when I was down to southwestern Ontario. I was followed by the Minister of Agriculture and Food (Mr. Stewart). We came back after a few short weeks and we came up with an 80-20 per cent programme, a $7.5 million programme, to provide for the needs of an emergency situation. It has never happened before.

When I say that we responded extremely quickly, I don't think it has ever happened that fast before. And I stand on that, really.

Mr. Stokes: You said it was cyclical, something you could almost anticipate.

Mr. Burr: Could the minister give me the amount that went to the town of Tecumseh.

Hon. Mr. Bernier: I don't have that breakdown, but I could certainly make sure the member gets it.

Mr. Deans: No, he doesn't have it.

Mr. Renwick: He is the same as the minister of Government Services. He didn't have any information either.

Mr. Burr: Could we have the amount that went to Essex county?

Hon. Mr. Bernier: I don't have a breakdown of the counties or the municipalities, I am sorry.

Mr. Stokes: Did anything go to northern Ontario? Do you know that?

Hon. Mr. Bernier: No, it was all earmarked for southwestern Ontario where the emergency situation really existed. It was designed to co-operate with the municipalities in looking after public lands, which would normally be the responsibility of those municipalities. There was no situation in northern Ontario of this magnitude.

Mr. Renwick: Is it enough?

Mr. Chairman: The member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Chairman, would the minister tell us what the lake levels are as opposed to a year ago and what they now are in each of the lakes. What is Lake Huron compared to a year ago? Is it down 12 in. or 15 in.? I understand that the upper lakes are down quite a bit but Lake Ontario is not down.

Mr. Foulds: This is not so. The upper lakes are up.

Mr. Deacon: What is the situation insofar as the levels in the St. Lawrence are concerned? If they are high, they threaten damage, since we are trying to let the water out through lowering our lake levels. What is the situation now and what are the prospects of getting the lake levels back to normal within the next 12 months?

Hon. Mr. Bernier: Mr. Chairman, I can only comment in a general way to assure the member that the lake levels in Lake Ontario, Lake Erie and Lake Huron are down appreciably.

Mr. Deacon: Could you tell us how much?

Mr. Deans: They are not. I told you that.

Hon. Mr. Bernier: As for the exact water levels, I just don't have those with me at the present time, right at my fingertips. But I would be glad to get them for you and make sure they are available to you and provide you with a comparison as to what the levels were last year and what they are now. The predictions are that they may go down appreciably in the next 12 months, but I think there is a situation where an emergency could occur.

If there is heavy rainfall in the Great Lakes basin, then we could have a situation; but it will not be as severe as it was this year.

Mr. Deacon: Has the minister taken steps, in co-operation with Hydro and the International Joint Commission, to be sure that water is not held back as it was in previous years in the St. Lawrence so that we can avoid a recurrence of this problem?

Hon. Mr. Bernier: Yes, Mr. Chairman, we are in constant contact with Hydro officials, and I might say that they are very, very co-operative and doing their utmost to alleviate any disaster that may occur on the Great Lakes. Certainly I want to publicly express my appreciation for the co-operation they've extended to us.

Mr. Deacon: Mr. Chairman, what is the situation as far as the St. Lawrence is concerned? Does the minister know whether the amount of water being let down is a continuing threat to the shores of the St. Lawrence in Quebec; is the outflow at the maximum that can be allowed or could more be allowed to run out at this time in order to reduce the levels, particularly in Lake Ontario?

Mr. E. W. Martel (Sudbury East): What about the Sudbury area?

Hon. Mr. Bernier: It is at maximum now, Mr. Chairman, and the Hydro officials, who are very knowledgeable of this, have reassured me on a number of occasions—they have done this on two or three occasions—that the water flow is at its maximum point.

Mr. Chairman: Shall this item carry?

The hon. member for Riverdale.

Mr. Renwick: Mr. Chairman, do I take it that what the minister said to my colleague, the hon. member for Wentworth, is that next year you will be coming in as part of your regular estimates at about a $25 million level rather than at the $16 million level that you have had this past year and the year before in your estimates?

Hon. Mr. Bernier: No, Mr. Chairman, I made no such commitment.

Mr. Renwick: I take it then that the response to my colleague's question is that there is no ongoing planning in the government, because you are not going to come in next year with the $25 million. Is that correct?

Hon. Mr. Bernier: Well Mr. Chairman, if the hon. member would just stop and think for a moment—

Mr. Renwick: I will stop and think for a moment.

Hon. Mr. Bernier: —to spend $16 million under the ARDA programme—and I might be out of order when I am saying this, sir, but we lean to that—and to spend $7.5 million under this particular programme in that short period of time, within a year, is practically impossible, really—it is impossible for there to be a further development and to do that much work in that short period of time. There will be work carried over into the 1974-1975 year, and if our studies indicate a need for additional funds that certainly will be included in our estimates next year.

Mr. Deans: Can you tell me how many municipalities took advantage of the available money in the 80-20 relationship?

Hon. Mr. Bernier: No, Mr. Chairman, I am sorry. As I said earlier I don't have the breakdown of the municipalities or the counties.

Mr. Chairman: The hon. member for Sudbury East.

Mr. Stokes: How did you arrive at the figure?

An hon. member: Check again.

Mr. W. Ferrier (Cochrane South): Is there any money for Lambton?

Mr. Renwick: It is a futile exercise.

Mr. Chairman: The hon. member for Sudbury East.

Hon. Mr. Bernier: Here comes the northern expert.

Mr. Martel: I am intrigued by the $7.5 million for land and water protection. Mr. Chairman, through you to the minister, I'd like to know how much of that $7.5 million is being directed toward the restoration of the water and soil quality in the Sudbury area.

Mr. F. Laughren (Nickel Belt): At least half.

Mr. Renwick: None.

Mr. Chairman: Order, please. That question is not related to this $7.5 million.

Mr. Stokes: It's dealing with land management.

Mr. Martel: With the greatest of respect. We are talking about—

Mr. Chairman: No, we are dealing with the transfer payments to municipalities.

Mr. Martel: Mr. Chairman, that's right; that is what I'm talking about. It is the restoration of the water and the land.

Hon. Mr. Bernier: He's trying to waste time.

Mr. Chairman: In southwestern Ontario.

Mr. Martel: Of what?

Mr. Chairman: In southwestern Ontario.

Mr. Martel: You realize, Mr. Chairman, of course, that there is a northern Ontario in this province do you?

Mr. G. Nixon (Dovercourt): There has got to be.

Mr. Martel: He would be the first person to recognize it on that side of the House.

I want to know what quantity of funding is going to be established, or is in this vote, for the restoration of the soil and the water immediately adjacent to the communities such as Copper Cliff, Garson, Falconbridge, Conniston in the Sudbury basin; which is the most devastated area in this province.

Mr. Ferrier: They are being flooded by Inco.

An hon. member: Very devastated.

Hon. Mr. Bernier: Mr. Chairman, as I said earlier this was a special emergency assistance programme designed to meet the problems that occurred in southwestern Ontario. And to my knowledge there was not an emergency situation developing in the member's particular area. If there had been, sir, I can assure you that the government of Ontario would have been there with gusto equal to that we've shown in southwestern Ontario.

Mr. Martel: Well, Mr. Chairman, if I might pursue it a little further. In—

Mr. Chairman: Order, please. You may pursue this particular item.

Mr. Martel: I'm talking about land and water protection.

Mr. Chairman: No, no, order, please. Order, please.

We made it quite clear a moment ago the general question of land and water protection is not the item under discussion; it is the $7.5 million which has to do with remedial works as directed by the Lieutenant Governor in Council under the heading of transfer payments in southwestern Ontario.

Mr. Martel: In southwestern Ontario.

Mr. Foulds: That is not what it says in the estimates book.

Mr. Chairman: Yes, it is.

Mr. Martel: Well Mr. Chairman, I want to remind you that as far back as 1967 the last Conservative member in the Sudbury area promised that this ministry would in fact start to revegetate the Sudbury area because of the spoilation of the surface in that area—and the minister might not think that is a very serious problem.

Mr. Chairman: Order, please.

Mr. Martel: But he has indicated that if it was—

Mr. Chairman: Order, please. General discussion has been covered on that item. That is for a particular purpose; and this is a supplementary estimate. The hon. member is aware of that.

The member for Port Arthur.

Mr. Haggerty: It was a good try.

Mr. Chairman: The member is out of order. You might as well sit down. The hon. member for Port Arthur.

Mr. Martel: I raised it twice and hopefully the minister will take recognition of the need for funding to revegetate the area.

Mr. Chairman: That will be in next year's discussion. The hon. member for Port Arthur.

Mr. Deans: Let me ask the minister—

Mr. Chairman: Order, please. I recognized the member for Port Arthur twice.

Mr. Deans: I'm sorry.

Mr. Foulds: Although the minister cannot tell us to which municipalities this money is assigned, none of this money is alloted to northern Ontario. Can the minister indicate to us—

Hon. Mr. Bernier: The situation didn't demand it.

Mr. Martel: It certainly does in the Sudbury area.

Mr. Foulds: Just wait for it. Just wait for it.

Can the minister indicate to this House how much money he is going to allot in next year's estimates for shoreline damage to Lake Superior? This is in view of his remark a minute ago that his ministry has ongoing communication and talks with the IJC, which

has recommended a blank cheque to itself to raise the level of Lake Superior. This will result in a good deal of damage—the kind of damage that is now happening in southwestern Ontario—to the shoreline of Lake Superior; in particular to the Port of Thunder Bay and to the one-industry towns along the north shore. Are you looking ahead to find money for next year's budget for those projects so that next year you won't have to come in with supplementary estimates like this for northern Ontario?

Mr. Laughren: If you can't answer that you better pray for a cabinet shuffle.

Mr. Chairman: The hon. member for Wentworth has a further question on this programme?

Mr. Foulds: Is the minister not going to reply?

Mr. Chairman: That question was out of order. It is on a different programme completely.

Hon. W. A. Stewart (Ministry of Agriculture and Food): There is about as much credibility in that as in the $5,000 car deal you talked about a while ago. No credibility in that and you know it.

Mr. Foulds: Mr. Chairman, if I may, is it not true that the Great Lakes water system is a continuous system?

Mr. Chairman: Order please. I have explained this sufficiently. We are not in the general question of land and water protection; it is for the supplementary estimates.

Mr. S. Lewis (Scarborough West): What do you mean you are not on the general question? You opened up the question.

Mr. Chairman: No, it is not opened up. The hon. members know better than that.

Mr. Stokes: You better defer to northern Ontario or we'll cut off your water.

Mr. Foulds: If I may; is it not true that the Great Lakes water system is a continuous water system, for goodness sake?

Mr. Chairman: That discussion was appropriate earlier.

Mr. Foulds: That it doesn't arbitrarily—there is no dam.

Mr. Chairman: Order please.

Mr. Foulds: There is no dam at the bottom of Lake Superior.

Mr. Chairman: Order please. Such discussion was appropriate earlier. The hon. member for Wentworth.

Mr. Lewis: Come on now, your name is Rowe not Canute.

Mr. Martel: Can I at least ask the minister a question?

Mr. Chairman: Does the member for Wentworth defer to the member for Sudbury East?

Mr. Deans: Yes, certainly.

Mr. Martel: Could I ask the Minister of Natural Resources what in fact has happened to those 50,000 trees Demers promised in 1967?

Mr. Chairman: I believe that is out of order. The hon. member for Wentworth.

Mr. Deans: I want to go back to the—I just happen to have the statement—

Mr. Martel: Along with 50,000 trees in the Coniston area.

Mr. Deans: Just for your interest, Mr. Chairman, if the minister isn't interested and he doesn't know anything, I just happen to have the statement of the Provincial Secretary for Resources Development (Mr. Lawrence), of March 21, 1973, when he announced the programme. And it says:

> In spite of this lack of clear and unrestricted assistance from the federal government, the government of Ontario will provide an immediate emergency programme on a 80/20 cost sharing basis.

He goes on to say in the same announcement.

> As for the longer term programme of prevention, our recent discussions with the federal government resulted in an indication from it that over the next 20 or 30 years the federal government would be prepared to participate on a 50/50 basis with the province for the construction of a permanent and comprehensive system of shore protection on the Great Lakes.

Now I don't know how that can be ruled out.

Mr. Chairman: Order, please. That has nothing to do with this $7.5 million.

Mr. J. R. Rhodes (Sault Ste. Marie): You just got ruled out.

Mr. Chairman: That's the general programme which is broken up into another programme, by the way.

Mr. Deans: But there is no other programme. This is the only programme.

Mr. Chairman: Right. Well, then, that discussion is out of order.

Mr. Deans: Are the ministers allowed to get up and make statements and say whatever the hell they want; their statements are simply to satisfy public concern and we can't even talk about it?

Interjections by hon. members.

Mr. Chairman: When we were dealing with the general question that was in order, but this is not in order tonight.

Hon. Mr. Winkler: Have a little respect.

Mr. Deans: Respect for what?

Hon. Mr. Winkler: This Legislature.

Mr. Deans: I have. I simply think the Chairman is wrong.

Mr. Chairman: Order, please. Shall this item carry?

Mr. Deans: The minister got up and made a statement in regard to this particular programme.

Mr. Lewis: I have a sense of impending disintegration.

Hon. Mr. Winkler: Of that party.

Hon. Mr. Grossman: You'll get over it.

Interjections by hon. members.

Mr. Lewis: At about 22 minutes to 10 o'clock.

Hon. Mr. Winkler: I told you that the rise of the water goes with the NDP, and you are at the highest. You are going down from here on.

Mr. Chairman: Does the member of Port Arthur have something else on this particular amount?

Mr. Foulds: Could I ask the minister—

Mr. Lewis: That was a pretty scintillating piece of repartee. We certainly applaud that.

Mr. Ferrier: I won't vote any more money for that one. No more money for that one.

Hon. Mr. Winkler: The NDP leader can't deny the truth.

Mr. Foulds: Could I ask the minister if in this programme for southwestern Ontario he has recommended to the municipalities specifically how the money is to be spent? That is, is it to be spent for diking? Is it to be spent in building reservoirs in northern Ontario to hold the water back? Is it to be spent on extra help to raise the weirs so that the water will flow more fully.

An hon. member: Sandbags.

Mr. Foulds: Or is it to be spent on sandbags? Thank you very much.

An hon. member: Sandbags?

An hon. member: It's easier for you—

Interjections by hon. members.

Hon. Mr. Bernier: I think what the member is asking is what are eligible works under this particular programme. Is that correct?

Mr. Foulds: I think that's a fair interpretation of the question.

Hon. Mr. Bernier: I'll just list them for you.

Repairs and improvements to municipal roads and dikes deemed necessary to provide access to and to prevent flooding of properties respectively; pumping off flood waters from properties for which the municipality is directly responsible; temporary protective works designed to prevent the flooding of properties for which the municipality is directly responsible; protective works intended to prevent the erosion of municipal roads and constructed in accordance with a provincially-approved engineering design; and works providing immediate and temporary access where road access is eliminated and early repair not possible.

Those are the guidelines that were given to the municipalities.

An hon. member: A great programme.

Mr. L. C. Henderson (Lambton): What does Sandwich-Riverside think about that? A great programme.

Mr. Chairman: Shall this item carry? Anything on item 5?

Mr. Stokes: On the second item, land, water and mineral title administration; can the minister, before we get into the nitty-gritty tell us what he is acquiring, what he is constructing and what physical assets he is talking about?

Mr. Lewis: No. He's not interested.

Hon. Mr. Bernier: Yes, Mr. Chairman; these funds were to provide for the acquisition of

seven properties required to complete the major portion of the proposed Bronte Creek Provincial Park, one of the major urban parks in the Province of Ontario.

Mr. Stokes: Is that the one with the highway running through it?

Hon. Mr. Bernier: Yes, it is.

Mr. Stokes: Oh.

Hon. Mr. Bernier: It's an excellent park and it's hailed as one of the forerunners in urban park development on the North American continent.

Mr. Lewis: Right. You are just purchasing the shoulders. Shoulders and park, it's a new concept.

Hon. Mr. Bernier: It's a new concept, yes, right. Hailed right across this continent as one of the greatest concepts ever conceived.

Mr. Stokes: A little park surrounding a highway.

Mr. Deans: It is part of the Green Belt development west of Metro.

Mr. Chairman: Shall this item carry?

Hon. Mr. Bernier: There are a few minor areas yet to be acquired. Costs of total acquisition to date, including the above, are approximately $5.7 million; costs of development to date approximately $2.4 million.

Mr. Stokes: All of the money that you are asking for here, $1.05 million, is expressly for Bronte Provincial Park?

Hon. Mr. Bernier: Yes, that is correct.

Mr. Chairman: Does this item carry?

Item 6, on conservation authorities.

The member for Welland South.

Mr. Haggerty: I would like to ask the minister for clarification; of the $2.225 million, how much of this will be spent on land purchase on the Niagara Escarpment?

Hon. Mr. Bernier: Not one cent, Mr. Chairman.

Mr. Haggerty: Where will it be spent?

Hon. Mr. Bernier: That was for the acquisition of the Tam O'Shanter golf course.

Mr. Foulds: The entire amount?

Mr. Deans: The acquisition of the Tam O'Shanter golf course?

Mr. Foulds: That's just one item?

Hon. Mr. Bernier: One item.

Mr. Deans: One item?

Mr. Foulds: The Tam O'Shanter golf course is how much—$2.225 million?

Mr. Renwick: What was the acquisition price?

Hon. Mr. Bernier: The total acquisition price was $10,825,000.

Mr. Renwick: How much?

Hon. Mr. Bernier: No, I am sorry—$11,075,000.

Mr. Haggerty: For one golf course?

Hon. Mr. Bernier: Yes. It was 118.7 acres.

Mr. Lewis: Did you say 118.7 acres?

Hon. Mr. Bernier: Yes. And our contribution was $2,225,000.

Mr. Renwick: And who is paying for the rest?

Hon. Mr. Bernier: The conservation authority and Metropolitan Toronto.

Mr. Haggerty: That's around Burlington, is it?

Hon. Mr. Bernier: No, no, right in the heart of—

Mr. R. F. Nixon (Leader of the Opposition): No, it is right here in Toronto.

Mr. F. Drea (Scarborough Centre): It is in Scarborough.

Mr. Haggerty: I'm a little bit alarmed by this expenditure. I believe I sent you a letter last spring—I haven't got a reply to it yet—suggesting that either the Niagara Parks Commission or your department purchase about 55 acres of valuable lakefront property, east of Ridgeway, Ont., which consisted of a nine-hole golf course. All your letters and news releases in that area say you are going to purchase land for a provincial park and you are going to buy many parks. But here we had a golden opportunity to spend about $255,000 for 55 acres of good lakefront property, a nine-hole golf course, which was a moneymaker, and you let it go by. Now, why would you not pick up an offer like that?

Mr. Foulds: That is out of order, Mr. Chairman.

Mr. Chairman: We are apparently dealing with the Bronte Park, judging by the answers I get.

Mr. Lewis: No, we are not.

Mr. Deans: It would help if you knew we are dealing with the Tam O'Shanter golf course.

Mr. Chairman: Tam O'Shanter. I'm sorry.

Mr. Haggerty: We don't know what we are dealing with here actually.

Mr. Stokes: Since all of this money is being spent in Scarborough, which is a part of Metropolitan Toronto, I think I have a right and a responsibility to ask, on behalf of the taxpayers of the north, why are you spending $100,000 an acre to acquire a golf course?

Mr. Martel: I will buy that.

Interjections by hon. members.

Hon. Mr. Bernier: Mr. Chairman, if you know the situation in Metropolitan Toronto and look at a map, you will see the urgent need for a green area or for a park development in that area of Scarborough. If you look at the overall picture, you will see that that particular area is lacking that type of a public area, where the residents of that area can go and to enjoy the outdoors in an environment such as this.

Mr. Renwick: When do you have to pay the money?

Hon. Mr. Bernier: There was danger that the developers were going to move in, and there was an urgent need that this be preserved for the general public. For those reasons, the province felt that they should assist Metropolitan Toronto and the conservation authority to purchase this type of land and make it available for the general public.

Mr. R. F. Nixon: Mr. Chairman, on the matter that the minister is talking about, surely he would be aware of the statement made by his colleague, the policy minister for justice (Mr. Kerr), that the policy of the government is to provide this type of support for any municipality which, with the support of a conservation authority, wants to purchase a golf course within its area. He, of course, was talking about the situation in Burlington, where he has a special interest.

But is it your understanding that there is a basic policy in this regard, and that golf courses are considered proper acquisitions, as I would believe they are, and therefore your policy is to pay a third from the government, assist the conservation authority in paying its third, and leave the remaining third to the municipality? Because I know there are a good many municipalities that are going to be interested in taking that up. Certainly the member from the Burlington area is keen for you to give a positive answer.

Hon. Mr. Snow: How do you know that?

Hon. Mr. Bernier: Well, Mr. Chairman, there was a very strong feeling within the government that there was some urgency and certainly a necessity to purchase this golf course.

Mr. Deans: So you moved swiftly.

Hon. Mr. Bernier: To say that it's a general policy that we will be purchasing golf courses across this province on behalf of the general public, I don't think I could say that. These situations are handled on an individual basis when they come to our attention, and if the need is there and there is some urgency to it, then certainly the vehicle is the conservation authority.

Mr. R. F. Nixon: Can the minister explain why the policy field on natural resources did not see fit to approve the application from Burlington when they had approved the one from Metropolitan Toronto for the purchase of Tam O'Shanter? Is there going to be a reconsideration and in fact will it be put on the agenda at Treasury Board?

Hon. Mr. Bernier: I believe you are referring, sir, to the Tyandaga golf course?

Mr. R. F. Nixon: Yes.

Hon. Mr. Bernier: I have had negotiations and discussions as late as yesterday with that municipality in connection with the Tyandaga golf course, and, certainly, I indicated to them we would be prepared to review and to entertain a proposal from that conservation authority on basically the same terms on which we purchased the Tam O'Shanter.

Mr. Chairman: The member for Scarborough Centre.

Mr. Drea: Mr. Minister, isn't it a matter of record that the Tam O'Shanter golf course became available because of an act of God, to wit, it was no longer a golf course because of a fire that destroyed all of the physical facilities, it was a green belt? Secondly, Mr. Minister, isn't it a matter of record that the Scarborough council and the Metropolitan Toronto council urged the government to ex-

pedite the purchase along the lines that the Leader of the Opposition has suggested, rightfully, that it is our policy? And isn't it a matter of record that the reason that the acquisition was consummated in a relatively brief time was that because of the fire there was pressure by the person who owned the land that either it was acquired as green belt by Metropolitan Toronto and by Scarborough and by the provincial government, or there would have been an application for rezoning for houses, which hardly could have been denied? And, Mr. Minister, isn't it a matter of record that the reason the province and the two municipal councils acted so quickly was that this was the last chance to acquire a sizable green belt in a very densely crowded and already built-up area in Metropolitan Toronto?

Hon. Mr. Bernier: Yes, Mr. Chairman. It is very correct, and certainly I want to thank the member for outlining the various points. I think he's done it very, very well.

Mr. Ferrier: Nailed you again.

Hon. Mr. Bernier: Every point he has made is correct.

Mr. Lewis: It's also a matter of record, as someone who also represents a Scarborough riding—

Mr. Rhodes: The oracle from Scarborough.

Mr. Lewis: —that the basic reason that we're buying Tam O'Shanter—

Hon. Mr. Snow: Are you against it?

Mr. Lewis: —and I obviously agree that there is need for more green belt in that area, but the real reason we're buying Tam O'Shanter is because of the political clout which is associated with Metropolitan Toronto and the Tory party.

Interjections by hon. members.

Mr. Lewis: Isn't it a matter of record that out beside the member for Kingston and the Islands, in a place called Kingston township, there is something called the Rattray Estate, something over 300 acres of the finest—

Hon. Mr. Snow: Rattray Estate is in my riding. Get your geography straight.

Interjections by hon. members.

Mr. Lewis: I'm sorry, not Rattray.

Mr. Deans: It's near Oakville.

Mr. Lewis: No, no. Just a second. Do you remember the name of the estate I'm talking about? What is it, sir, is it Rattray?

Hon. C. J. S. Apps (Minister of Correctional Services): No, it is not Rattray. The name escapes me. I would like to speak to that.

Mr. Lewis: Yes, okay, that's fine. I'm not so sure. It may be a very similar name. But that aside, there are 300-plus acres in Kingston township with some waterfront land, and isn't it also a matter of record that that land is available now at something over $3,000 an acre, not $100,000 an acre? Isn't it also a matter of record that Kingston township and the conservation authority have unsuccessfully, for three to four years, tried to get the Ministry of Natural Resources to provide the money to buy it? Isn't it equally a matter of record that in the choice between a park serving Metropolitan Toronto and serving a section of eastern Ontario we always manage to find the money for Metropolitan Toronto but we can't find the money for eastern Ontario?

Mr. Ferrier: Shame, shame.

Mr. Lewis: And we say we can't find it on the specious, nonsensical argument that if you go to the Land Compensation Board to expropriate you may have to pay more than the land was worth, based on an offer made several years ago to the present owners by the Kingston township council.

The fact of the matter is that the parallel with what the member for Scarborough Centre said goes even further. The parallel is that this private owner is also on the verge of relinquishing this land to private development thereby losing the last piece of really valuable waterfront and recreational land in Kingston township.

I will be very interested if the member for Kingston and the Islands is going to get in on this because I have barely scratched the surface.

Mr. Chairman: That is not what this vote is for.

Hon. Mr. Apps: Mr. Chairman, there is no question that Lemoine Point is a very fine acquisition for the Province of Ontario. The people down in that area have been trying without too much success over the past number of years to persuade the province to help in the purchase of Lemoine Point.

The greatest stumbling block in the purchase by the province of Lemoine Point was that the asking price was $900,000 and the appraised price was $400,000. I think that

even the members of the New Democratic Party would agree that it is very difficult for a province to spend public funds to purchase a property, the appraised value of which was $400,000 and the asking price was $900,000. I really think the province has to say no in a situation such as that.

Whether the appraised price is the proper price I don't know, but there were three separate appraisals made of that property of which $400,000, I think, was the highest. Surely the government would not pay $900,000 for a piece of property that was appraised at $400,000 and I think this was the key to the whole thing.

I might mention, Mr. Chairman, that this has now been gone into. Another situation that developed as well was that the city of Kingston indicated it was not interested in going in with Kingston township and the government to purchase this property. I think anyone who comes from that area would realize as well that the people from Kingston would be the beneficiaries of such a park, even more so probably than the people in the surrounding area. It has been indicated to me by the mayor of Kingston that he is going to review this with his council, hoping that they would approve participation. I believe Kingston township is also agreeable as well and at the present time I believe there is a member of the minister's department in Kingston—I think yesterday—

Hon. Mr. Bernier: That's right.

Hon. Mr. Apps: —to try to work out a proposal whereby the province, in conjunction with the city of Kingston, the township of Kingston and the conservation authority would be able to purchase Lemoine Point, with its waterfront property, for the benefit of the people in eastern Ontario. The reason it was turned down was, basically, that the appraised price was so much lower than the asking price. I don't think any public body can pay more for a piece of property than the appraised value; fundamentally, that was the reason it was turned down.

I, for one, worked very hard over the past number of years in order to get Lemoine Point as a public park because it is one of the very few pieces of property left along Lake Ontario that is available, or could be available, to the public. It is a desirable piece of property and I am hopeful that this eventually will come to pass; when I say eventually, very shortly come to pass.

I don't know too much about the Tam O'Shanter Golf Club other than the fact that it is a desirable place. It is my feeling that if the province is willing to contribute to a park at Tam O'Shanter, hopefully it will also be able to contribute to Lemoine Point.

Mr. Lewis: Lemoine Point, right.

Mr. Renwick: We agree with that theory.

Hon. Mr. Apps: Pardon?

Mr. Renwick: We agree with that.

Hon. Mr. Apps: I think the ministry is embarking on the right programme. I have been able to get the city of Kingston to agree that it would be interested in participating, which it wasn't before. I haven't heard the results of the discussion yet, but a representative of the Ministry of Natural Resources has been down to Kingston trying to work out an arrangement whereby Lemoine Point can be purchased with the co-operation of the city, the township, the conservation authority and the province. I think this is the way it should be.

Mr. Chairman: Order please. Maybe that will be in the next budget.

Mr. Lewis: By way of putting the context—and I realize the chairman wants to move on and others may want to move on—this is not the first time the city of Kingston has been interested. You have been a member long enough to know that.

The city of Kingston had joined application and withdrew, to the surprise of Kingston township, a couple of years ago. That was the reason for the Ontario Municipal Board making part of its ruling as it did when the city of Kingston withdrew. Kingston township then, to everyone's surprise and to their everlasting credit, said, "We will assume the whole portion of the cost which was going to be assumed by the city of Kingston, that's how strongly we feel." So that's number one. That was never a deterrent. Kingston township was always prepared to go along.

Number two: In 1968-1969 that land was available for $1,000 an acre, not now at approximately $3,895 an acre, which was the last price I saw quoted. It was the incredible lethargy and delay on the part of the government that managed to buck that price up and to develop the disparity between the asking price and the appraised price.

But so what? So what? So you don't like the asking price; so then you do what you can do under legislation. When the owner says to you, as they have said, as the lady has said, "I want these 337 acres to be in the

public domain," you say, "Fine. Lemoine Point would make an excellent park. We are going to expropriate and we are going to send the decision to the Land Compensation Board which our government established, and we'll abide by the terms that that board sets."

Now, how much fairer could it be? Presumably the board will take into consideration the original asking price, the appraised offer. You go the route which your legislation provides and you purchase the park and you get it for around $3,000 an acre. But you haven't done that, and the reason you haven't done that is that when Metropolitan Toronto barks, you jump, but when Kingston township whines, you run away; you just don't care.

Hon. Mr. Apps: Mr. Chairman, that is a lot of nonsense.

Mr. Lewis: Even with a member in the cabinet.

Interjections by hon. members.

Mr. Lewis: Four years you have waited.

Hon. Mr. Apps: Those are four years we have been working very hard, and I think, Mr. Chairman, that we are going to accomplish our objective.

Mr. Lewis: Only because the opposition is pushing you, that's all.

Mr. D. C. MacDonald (York South): The minister was stopped at the blue line on that.

Mr. Lewis: You'll have the opposition to thank if you get Lemoine Point.

Interjections by hon. members.

Mr. Lewis: Mr. Chairman, I want to point out to you, sir, that you allowed this discussion to develop. Indeed, without saying a word you allowed the minister—which I appreciate your doing—to reply at length about this subject and you are simply going to have to decide which rule you are governed by. If you allow for an extended discussion, you can't cut it off.

Mr. Chairman: If the hon. member will just co-operate a little bit, we always allow a certain amount of leeway.

Mr. Lewis: Well, that's fine. We haven't had undue leeway, unless you rule the minister out of order.

Mr. Chairman: I did. I ruled you both out of order.

Mr. MacDonald: He will be penalized in addition to being stopped at the blue line.

Mr. Chairman: Item No. 6.

Mr. Lewis: No, I want to ask you, how much are you offering to Lake Ontario Cement for the sand dunes?

Mr. Chairman: Order, please.

Mr. Lewis: It is right now that the offer is being made. I want to know.

Mr. Chairman: Question not allowed.

Mr. Lewis: I want to know how much Tam O'Shanter is worth and how much Lake Ontario is worth?

Mr. Chairman: Order please, the member for Scarborough West. He's trying to provoke me.

Mr. Lewis: That's not a legitimate question?

Mr. Renwick: Perhaps it would be legitimate to ask what the appraised value is of the Tam O'Shanter Golf Club.

Hon. Mr. Bernier: Mr. Chairman, as far as I understand, the appraised value was $11,075,000.

Mr. Renwick: Exactly the amount you are paying, isn't that a coincidence.

Mr. Chairman: The member for Sudbury East on this item?

Mr. Lewis: Now just a second, just a second. You mean you will pay the appraised value? It was $11 million and what?

Hon. Mr. Bernier: Eleven million and seventy-five thousand dollars.

Mr. Lewis: Was there any separate asking price for that property?

Hon. Mr. Bernier: Yes, there was.

Mr. Lewis: What was that?

Hon. Mr. Bernier: I don't have that. It was much higher than that.

Mr. Lewis: I want to know what —

Hon. Mr. Bernier: It was much higher than that but I don't have it.

Mr. Lewis: It was much higher?

Hon. Mr. Bernier: Yes.

Mr. Lewis: What did you do to get it? Are you expropriating? What's the route you are going?

Hon. Mr. Bernier: No, we—

Mr. Lewis: Did you just make the offer and it was accepted?

Hon. Mr. Bernier: We negotiated the price, yes.

Mr. Lewis: You negotiated the price exactly at the appraised value?

Hon. Mr. Bernier: Yes.

Mr. Chairman: The member for Sudbury East on this item?

Mr. Martel: Yes, on this item, Mr. Chairman. Certainly, on this item—what other item do you think I'm going to talk about?

I'm really intrigued when I see the $1,050,000 that the ministry could find for the Tam O'Shanter, and when I hear the member for Kingston and the Islands get up and talk about the 400-odd-thousand I guess it is that they are willing to part with for Lemoine Point, and yet for five years—for five years—we've got one promise after another from this ministry but for 30,000 people or 35,000 people in the Wahnapitae Lake area you can't find the funds to develop the park.

Mr. Chairman: Order please; the hon. member knows he is out of order.

Mr. Martel: Mr. Chairman—

Mr. Rhodes: You are out of order.

Mr. Chairman: Item No. 6. Your leader wants to be more strict.

Mr. Martel: Mr. Chairman, you allowed it to go on between the Minister of Correctional Services and the member for Scarborough West for at least 10 minutes.

Hon. Mr. Grossman: That's your leader.

Mr. Martel: That's nonsense.

Mr. Rhodes: Show some respect.

Mr. Martel: That's total nonsense.

Mr. Chairman: I regret it.

Mr. Martel: I want to know, all I want to know is—

An hon. member: You are showing favoritism now; that is favoritism in the House.

Mr. Martel: All I want to know is how it is that the ministry—and we heard the member for Scarborough Centre say that people needed it, and I don't dispute that—

Mr. Drea: Thank you.

Mr. Martel: How the ministry can find $1.050 million—

Mr. Chairman: Order.

Mr. Lewis: It is $2 million.

Mr. Martel: Or $2 million for this project and after five years—

Mr. Rhodes: Order.

Mr. Martel: They can't find $25,000 to buy the land from one prospector near Lake Wahnapitae and start to develop a park in the Wahnapitae Lake area to serve 35,000 people who don't have one lousy park.

Mr. Chairman: Order, please, the member for Port Arthur.

An hon. member: Terrible discrimination.

Mr. Martel: And I want a reply, Mr. Minister.

Mr. Chairman: Order please; the reply would be out of order.

Mr. Martel: Mr. Chairman, you didn't rule the Minister of Correctional Services out of order—

Mr. Chairman: The Chairman is being very patient.

Mr. Martel: No way he is not.

Mr. Chairman: Order please.

Mr. Martel: The chairman is being very impartial—

Mr. Rhodes: That's right, "impartial".

Mr. Martel: He allowed the Minister of Correctional Services to go on for five full minutes. Now all I want is a reply from the minister as to why he can find that much money for Toronto and Kingston and the Islands, and he can't find it for my area.

Mr. Chairman: Order.

Mr. Martel: Wait a minute, I want a reply from the minister.

Mr. Chairman: No, the minister may not reply.

Mr. Martel: This has gone on five years and I'd like to hear—

Hon. Mr. Bernier: You are out of order.

Mr. Martel: No, I'm not out of order.

Hon. Mr. Bernier: The chairman has ruled you out of order.

An hon. member: Throw him out.

Mr. Martel: Mr. Minister, you've played enough games tonight. You have played enough games. The chairman allowed the Minister of Correctional Services to go on for five full minutes.

Mr. Chairman: Order, I allowed your leader to proceed, when I shouldn't have, out of courtesy. Now I will ask the member to respect the chair.

Interjections by hon. members.

An hon. member: No way, two wrongs won't make a right.

Mr. Martel: If you want me to respect the chair, Mr. Chairman, then in fact you will rule rather differently than what you've done now.

Interjections by hon. members.

Mr. Martel: Now you allowed the member for Kingston and the Islands to go on for five minutes.

Hon. Mr. Grossman: It is your fault, Steve.

Mr. Lewis: Yes, that's true; and Syl was fool enough to respond.

Mr. Chairman: The member for Port Arthur.

Mr. Martel: Now wait a minute, Mr. Chairman, I want to know.

Mr. R. K. McNeil (Elgin): You have been wasting minutes all night.

Mr. Martel: And I am going to waste more, I'm going to waste more. If the Chairman allows the minister to respond, then I can sit down. But if he is going to play that kind of game in which he is just going through the motions now, then that's nonsense.

Mr. Henderson: You are responsible.

Mr. Martel: And the Chairman knows it.

Mr. Lewis: I am responsible and you have the blame.

Interjections by hon. members.

Hon. Mr. Bernier: Mr. Chairman I don't know whether I am out of order or not, but would I be allowed to respond now?

Mr. Chairman: If you can respond in 30 seconds, we will allow you to satisfy the member for Sudbury.

Hon. Mr. Bernier: Mr. Chairman, it will take me longer than 30 seconds, really, to respond on the great things this ministry is doing in regard to provincial parks.

We have over 115 provincial parks in the province of Ontario; over 10 million acres under development.

Interjections by hon. members.

Hon. Mr. Bernier: Last year alone—

Mr. Renwick: You are out of order.

Mr. R. F. Nixon: Now, you are out of order.

Hon. Mr. Bernier: Last year alone, we had over 13 million visitors, and this compares to the national parks all across Canada—

Mr. Renwick: Order.

Mr. V. M. Singer (Downsview): Order.

Hon. Mr. Bernier: —which had 14 million visitors.

Mr. Martel: Now will you answer the question.

Mr. Chairman: Order, your time is almost up.

Hon. Mr. Bernier: To be specific, I'd have to say to you that there is a greater demand, there is a far greater demand for recreational and open space in the southern part of the province where the population is much greater, far greater; and we respond to that demand with the development of new urban-type parks; with the development of Tam O'Shanter, Lemoine Point—

Mr. Martel: Yeah.

Interjections by hon. members.

Hon. Mr. Bernier: I can assure you that we checked very carefully the recreational demands of all areas. I have to point out to you that in the Sudbury area and in that area north of the French River, 90 per cent of the land mass is Crown land, not like in southern Ontario where 100 per cent is privately owned. There are all kinds of opportunities for the people in your area to enjoy a wilderness experience within five or 10 minutes of Sudbury.

Mr. Rhodes: Let the public on your estate, Eli.

Hon. Mr. Bernier: It's there. It's available to the general public.

Mr. Rhodes: Let them wander through your sunken gardens.

Hon. Mr. Grossman: Give them some of our traffic and we will take some of that land.

Hon. Mr. Bernier: With those things in mind, and considering the dollars that we have available, we put those dollars to use where the greatest return is coming to the general public.

Mr. Chairman: Order please. Time's up.

Mr. Martel: The minister is fully aware that in the immediate Sudbury area there is not a decent park place except Lake Wahnapitae and I am sure you have to concede that. We are talking more than a five or 10 minute drive away and the minister will agree with that, as he did in his own estimates. But he couldn't find the money during his estimates and tonight you are now giving us a line of tommy rot.

Hon. Mr. Bernier: Mr. Chairman, I had the most pleasant experience to go with the member for Sudbury East and to fly the whole Sudbury area—

Hon. Mr. Grossman: The government paid for him?

Hon. Mr. Bernier: —and I would have to admit to him and to the Province of Ontario that that is one of the most beautiful areas in Canada, really it is. There are the most beautiful lakes available to the general public and they are Crown-owned. With the programme embarked on now with the Ministry of the Environment to restock those lakes with fish we will have a playground second to none in Canada.

Mr. Chairman: The member for Port Arthur.

Mr. Foulds: Mr. Chairman, if I may, perhaps the donnybrook would not have developed if you, Mr. Chairman, understood the rules of argument. That is, by your very narrow ruling a little earlier you in fact shackled the opposition from arguing by example. I just bring that to your attention.

I want to talk specifically about the golf course involved. How much longer is it going to be used for golfing?

Hon. Mr. Bernier: I didn't hear the question.

Mr. Foulds: How much longer is it going to be used for golfing?

Hon. Mr. Bernier: Mr. Chairman, this is something for the conservation authorities to develop. Certainly, there will be a plan developed for the whole of the Tam O'Shanter area. It may well be that it will be used for golf for a very short period of time, but as to the actual type of development, it will be up to the conservation authorities to develop.

Mr. Foulds: A further question then, Mr. Chairman: Do you mean to tell me that you have laid out this money to acquire this golf course without any clear indication from the conservation authority involved of the purpose to which that land was going to be put?

Hon. Mr. Bernier: Mr. Chairman, it was purchased for the benefit of the general public in that particular area as a recreational area, an open space area where the public could go and enjoy recreation and enjoy an experience that they couldn't get on University Ave.

Mr. Lewis: What are you talking about, a picnic beside a bunker?

Mr. Chairman: The member for Welland South.

Mr. Deans: Your kids make sandcastles in the traps.

Mr. Foulds: I have a series of questions, Mr. Chairman.

Mr. Chairman: Order, please.

Mr. Haggerty: I started off the debate and there have been a number of objections and I hadn't quite finished—

Mr. Chairman: Order please. Let the member for Port Arthur finish his few questions.

Mr. Foulds: Thank you, Mr. Chairman. Do you mean to tell me that you expect us to pass this vote, approving this expenditure from your ministry, without a relatively detailed plan—I am not even asking for it specifically detailed tonight—about the kind of recreational use you expect to put that area to? You don't know how much of it is going to be used for bowling greens? You don't know if you are going to subdivide it? I think that this Legislature expects and deserves a more detailed statement than the general one the minister has indicated, "for general recreational use." Are you going to have canoeing down the river? What is involved? Are you going to build a second Old Fort William and have voyageurs traipsing over the bunkers? Just what is the use that the park is going to be put to?

Mr. Rhodes: Recreation.

Hon. Mr. Bernier: I must remind the member, if he would just go back a few moments, and realize that it was the Metropolitan area, and of course, the borough of Scarborough, which really wanted this particular area for development as a recreational area. In co-operation with the conservation authority and the parks divisions of both these municipalities, they will be working out a master plan for the development of the Tam O'Shanter area for the benefit of the people who live in that particular area. This is on schedule now; they are moving ahead with it. We don't have a master plan ready at this time. We have only moved into the purchase of it and it's obvious that until we had the land we couldn't move into a master plan.

Mr. Foulds: The question is when do you expect the master plan to be completed?

Hon. Mr. Bernier: Within a short period ahead of us.

Mr. Foulds: The minister is engulfed in generalities this evening. The discussion of the supplementary estimates has been a shambles. We have asked a series of questions for specific information and he has not had that available.

The ministry has moved out and spent over $2 million on a general thrust with no specific recommendations or specific plans from the conservation authority. He expects us to approve that vote. Now he tells us he cannot give us a definite commitment about the time in which the master plan will be ready.

Mr. Chairman: Order, please.

Mr. Foulds: What kind of a shambles is this? He is given a blank cheque?

Hon. Mr. Bernier: Mr. Chairman, I think the member should contact the conservation authorities if he wants the specifics. It is up to them. They are developing a plan for this, as they do in other areas of the province, and we assist them financially. It is part of an overall package, and after we purchase the land it is no different from any other conservation area purchased and developed into a recreation area. Nothing different.

Mr. Foulds: With the greatest respect, Mr. Chairman, if the Thunder Bay Conservation Authority wants a grant of money to apply to its conservation plans it has to detail the area, whether it is the Wishart area, and what is involved. Yes it does; before it gets ministerial approval. The same principle should apply to the area down here.

Hon. Mr. Bernier: These are general terms; they are not specifics such as the member is asking for. He is mixing up apples and oranges.

Mr. Chairman: The member for Welland South.

Interjections by hon. members.

Mr. Foulds: Mixing up apples and oranges? Just make sure there are some trees.

Mr. Chairman: Order, please.

Mr. Haggerty: As was mentioned before when I opened the remarks on this particular vote, I am rather disappointed the minister does not have certain priorities established for purchasing park lands. It is most regrettable that he did not purchase the golf course east of the village of Ridgeway in the town of Fort Erie. This is valuable lakefront property.

Mr. Chairman: Order, please. That will probably be in the next budget.

Mr. Haggerty: All I am asking, Mr. Chairman, is: I have sent him a letter. Will you give me the letter back? Get one of your staff to dig the letter out so I can have it back because apparently you have thrown it in the wastepaper basket.

Mr. Chairman: Shall item 6 carry?

Mr. Lewis: You only respond to Tories; only Tories have influence with you.

Mr. Chairman: Shall Vote 2102 carry?

Vote 2102 agreed to.

Mr. Lewis: Except for Syl Apps, Tories have influence with you.

Hon. Mr. Bernier: Anybody else?

Mr. Chairman: This concludes the supplementary estimates of the Ministry of Natural Resources.

SUPPLEMENTARY ESTIMATES, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS

Mr. Chairman: Order please. Supplementary estimates, the Ministry of Transportation and Communications. We have two votes here.

On vote 2202:

Mr. Chairman: Perhaps the hon. minister would care to explain what the item is for.

Mr. Lewis: Yes, every dollar.

Mr. Martel: Yes, outlined so we can keep on the right track.

Mr. Chairman: This year, not next year.

Mr. Singer: In the fullness of time.

Hon. G. R. Carton (Minister of Transportation and Communications): The $4.2 million, Mr. Chairman, relates in its entirety to the operating deficit for the transit systems. These are the transit systems not only in Metropolitan Toronto but the transit systems throughout this province. There are some—

Mr. Jessiman: Are they in Sudbury, too?

Mr. Martel: Tell us which ones, so we can talk about the right ones for the chairman.

Mr. Lewis: Every transit system in Ontario has an operating deficit.

Mr. Chairman: Order please. The hon. minister has the floor.

Hon. Mr. Carton: There are very few that operate out of the fare box.

Mr. Lewis: Right. How many? Do you have a list of those you are giving this money to?

Mr. Chairman: Order please. Order please.

Mr. Good: Don't answer interjections.

Mr. Chairman: The hon. minister has the floor.

Hon. Mr. Carton: No, I don't have a specific list.

Mr. Deans: You are keeping up the tradition.

Mr. Renwick: You are in good company.

Hon. Mr. Carton: The total amount is for that one specific item and it all relates to operating deficits of transit systems in the province. As for the reason that this amount is required, you will recall the new six-point transit subsidy programme that was announced by the Premier last year; this was a new transit subsidy system throughout the province, and we just underestimated the total amount. It relates now, as I say, we will need $4.2 million.

Mr. Stokes: What about construction?

Mr. Chairman: Item 2202.

Mr. R. F. Nixon: Well, who got the lion's share? Might we assume that it was the TTC, Ottawa, Windsor, Hamilton?

An hon. member: Did Kitchener get it?

Hon. Mr. Carton: This is an assumption on my part. I assume it was Metropolitan Toronto, yes.

Mr. R. F. Nixon: Can you tell us how it was distributed?

Hon. Mr. Carton: I can get those figures. I don't have the whole compilation.

Mr. Martel: We should have a full breakdown.

Mr. Lewis: Did Brantford get any? Did Brantford get a penny of this money?

Hon. Mr. Carton: Well, Brantford has a transit system. I'm certain that they are getting money under this operating deficit programme, yes.

Mr. Lewis: Okay. Then let's talk a little bit about the expressway, since clearly whether or not it is built has serious implications for the public transit system. You'll note, Mr. Chairman, the minister nods his head in enthusiastic agreement.

Mr. Chairman: I didn't notice that.

Mr. Lewis: Now, what is your decision on the Brantford Expressway? Is it to go or not?

Hon. Mr. Grossman: Out of order.

Mr. Lewis: No, it is not out of order, damn it. It is right in order.

Hon. Mr. Carton: Mr. Chairman, I don't mind answering the hon. leader of the NDP. I gave my commitment that I would make a statement in this House before it rose. Whether it rises tomorrow or early next week, I will make the statement.

Mr. Martel: Late next week.

Hon. Mr. Carton: I spent yesterday morning—as a matter of fact, I rose at 5:30 a.m. and drove to Brantford to go over the area. I have read all the material submitted by Dr. Berger, I have read the summary report three times, and I am prepared to make the decision.

Hon. Mr. Grossman: Holy cow.

Hon. Mr. Carton: And I will let the Legislature know.

Mr. Lewis: Just a second. You got up at 5:30 yesterday morning and drove to Brantford?

Hon. Mr. Carton: That's right.

Mr. Lewis: Isn't that interesting, I got up at 5:30 and drove to the Elora Gorge. We are both very busy, aren't we? Well, I hope you'll find room for that before these estimates are through. But tell me something: Was that the first time you'd driven to Brantford to look at the route of the expressway?

Hon. Mr. Carton: No, Mr. Chairman, I've been in Brantford many times.

Mr. Lewis: Well, I'm glad to hear that.

Hon. Mr. Carton: But I must say that I had a tour of Brantford that I've never had before.

Mr. MacDonald: Before daybreak?

Hon. Mr. Carton: No, as a matter of fact, it was close to the rush hour by the time we arrived and took the tour.

Mr. R. F. Nixon: I wonder if the minister can tell us if he experienced the traffic problems on Highway 2 and Highway 403 that he seemed so loath to improve in that particular area, which is of course a matter of great concern in the area as well.

Mr. Chairman: Meanwhile, back to the vote.

Hon. Mr. Carton: Well, Mr. Chairman, I would like to tell the hon. Leader of the Opposition—I mean this truthfully, and of course I'm used to traffic problems—that I really didn't experience any problems in my trip.

Mr. Lewis: Is that so? Hardly need an expressway—

Mr. Chairman: The hon. member for Sudbury East.

Mr. Martel: In keeping with your previous rulings on the last two votes, don't you think in fact we should have a list of all the items so that we will know which ones we are allowed to debate?

Mr. Chairman: It is quite clear.

Mr. Martel: This is just in keeping with your two rulings.

Mr. Chairman: Vote 2202?

Mr. Martel: It's funny the type of rulings you make, Mr. Chairman.

Mr. Deacon: Mr. Chairman, has the minister considered a different approach to encourage more ridership, a seat-mile type of subsidy, instead of subsidizing a percentage of the operating loss? Measures could be taken, I am confident, that would increase ridership by providing more convenient service. For example, buses go occasionally into the outlying suburban areas of Toronto, but it is almost impossible for local residents to determine—

Mr. Lewis: What about a wheel rotation subsidy? Have you thought of that as a possibility?

Mr. Deacon: Well, of course, I know that the party to my left love anything that is considered a loss. They think it is great. Subsidies are fine.

Mr. Lewis: But this is the one strong point in the minister's programme.

Mr. Deacon: I'd like to see something that stimulates patronage. For example, in the outlying areas it is almost impossible for new residents, or anyone, to know when to expect a bus, and in many areas they will have to wait an hour or three-quarters of an hour before a bus comes along. Would the minister recommend there be such changes in subsidies where they would introduce convenience, such as schedules being on bus stop posts of when they can expect a bus? There should be greater emphasis on provision of shelters.

It is well known from studies of attracting passengers to public transport that it is convenience and smooth integration of services—interface and that sort of thing—that really make a difference as to whether or not people leave their cars at home. I think there has to be more emphasis by the minister through his subsidy programmes and through recommendations made to these transit systems that will make it more convenient. Has the minister anything to say on what he is doing to encourage greater convenience for public transit people?

Hon. Mr. Carton: Mr. Chairman, firstly, at the time we introduced this operating deficit formula, which relates, as you know, $1 up to 10,000 population, $3 beyond 10,000, and five cents per revenue passenger per mile, we pointed out that we, along with many other jurisdictions with comparable problems, are trying to come to a resolution as to the accounting procedures that we could take into consideration when we are relating grants for the transit subsidies.

It is a very complex matter. It is something about which no one has really been able to come to any definite conclusions. We are working on it in conjunction with other juris-

dictions. I am hopeful that we can come up with an accounting procedure that would take into consideration all the factors that you have mentioned.

When you mention convenience for passengers, I would like to think that our venture into the dial-a-bus is a convenience for passengers. As a matter of fact, one of the New Democratic former candidates for whom I have a great deal of respect assured me yesterday the dial-a-bus is the greatest thing that has happened in his area. I'll leave it to you to judge. I would tell you later.

Mr. Lewis: We are going to expunge him from the party, whoever he is.

Hon. Mr. Carton: In any event I think that dial-a-bus is certainly one of the methods by which we hope to attract people to public transit. One of my main concerns is to make certain to the best possible extent that we give service. I personally feel that we can attract people to use public transit and to attract them out of their cars. I think we can do it and get them into the public transit system, but once we stop providing them with good service and they go back to the automobile, then I think it is most difficult to get them to try it again. I am positive and hopeful that we are able to give them a service they deserve.

Mr. Deacon: Mr. Chairman, I think the minister is to be commended for the efforts he is making in dial-a-bus and such programmes. That is a very expensive Cadillac kind of service compared to what we normally expect to be able to afford in public transit facilities around this province. I notice, for example, in Britain that at any Green bus stop you can find in the suburbs and countryside around London, you can see the time you can expect the bus. It may be every hour.

It is the cost and frequency of service that are a real burden on the operating expenditures of any public transit system. People say that greater frequency of service is needed. It is not necessarily greater frequency as much as knowing when you can expect the service to be available. That is one reason I would ask the minister to consider little things like that that are very important things in making it convenient for people to move over from cars to public transit.

Hon. Mr. Carton: Mr. Chairman, I wouldn't disagree with that point and perhaps a letter should go to some of the municipalities pointing out some of these methods, because it is the municipality really that should be concerned about giving service. Along with them we are providing the dollars. I know in Welland where I happened to be two or three weeks ago they have their transit system updated with new buses. They were quite delighted with the new signs that have been put up along the route and, if I am not mistaken, I think the times were on those signs. In any event it is a good suggestion.

I might mention too that Stratford has a dial-a-bus system that works well. It operates between 6 o'clock and 10 o'clock at night or whatever. It takes innovation on the part of the municipalities to deal with the particular problems in the municipalities. When they come to the province for funds, then this is our participation. As I mentioned we could possibly advise the municipalities of some methods.

Mr. Deacon: Mr. Chairman, has the minister investigated any comparative cost-benefit studies or sales studies of what gets greater participation or involvement or attracts more customers? One of the things that worries me is the amount of money we are spending on dial-a-bus per rider. What is the subsidy per rider compared to other ways of getting equal market penetration possibly at a much lower cost? If we are able to find much cheaper ways of getting equivalent or close to the same market penetration at much lower cost, then we should make that knowledge available to other municipalities. I hope the minister is doing that.

I notice we have some very attractive new buses in our own area—the Markham Transit buses—but there are no signs saying "bus stop" and showing the times you can expect a bus. They did issue very attractive pamphlets but a lot of people may not have those pamphlets on their person at the time they are deciding to try to find a bus. I think it's important that we do everything possible to show municipalities better ways, more efficient ways, less costly ways of penetrating the market.

Hon. Mr. Carton: Mr. Chairman, if I may respond, I neglected to say something that I know all members will be delighted to know.

First of all, may I point out that the demonstration in northern Metropolitan Toronto is, in fact, a demonstration; it's for the exact purpose, Mr. Chairman, that the hon. member mentions—to get costs and compare them and contrast them with other modes. The ridership is up 49 per cent since the first week. It has been constantly going up, and in fact it is better than we predicted.

In Pickering, where we had the Bay Ridges dial-a-bus experiment, I was talking to the

gentleman we transferred it to in the township of Pickering, the man who has control of the bus system. He tells me they have expanded it.

I noticed in last night's press that Ann Arbor, Mich., has found a new way to transport people, namely dial-a-bus, and golly, we've had it in existence now for four years.

Mr. Martel: Try that in Alban and St. Charles.

Hon. Mr. Carton: And they have it in Regina, in Saskatchewan.

Mr. Deacon: Would the minister consider having a trial area where they do have available an obvious public location, such as a bus stop, with the timetable showing when the buses are coming, plus perhaps even the time it would take to get to Union Station or the Bloor terminal and major centres, so that people in the area can take a look at a sign and say, "Well, if I take the bus I can get to such-and-such a place in such-in-such a time"? It's making connections and it's the elapsed time of a trip that are really important. Of course, you can always say riders could expect this under normal travel conditions.

We do know that we have a lot to do to improve our rush-hour access for public transportation, and I would hope that the minister will be encouraging more municipalities to have express lanes. There is some evidence, I gather, that on the express lanes on Eglinton Ave., over a short distance there isn't too much gain in running time. But I would be sure that over a period of several miles there would be a very important difference in travel time.

There is also a psychological effect of express lanes for those who are sitting in a traffic jam in cars and see those buses moving through. Maybe they'll think about leaving their cars at home another time.

We should do everything we can to show people there is convenience and that they know when they can move. Maybe they wouldn't have the absolute freedom of choice that they have in their own automobile as to when they are going to leave, but they would have an idea of the schedule that they could expect to find working, and it would be obviously available and easy for them to find. That's important in my mind.

Would the minister tell us whether he is doing things to tie in these services with improved rail commuter service, so that when he does have bus services to be subsidized in the Brampton area or in some other municipality, that these are being tied in with the proposed commuter service or the existing commuter service. Is there a thought being given to tie into those schedules?

Hon. Mr. Carton: Yes, Mr. Chairman, this is one factor that the ministry is really keen on—making sure that they tie in with the existing services.

I might mention that, apart from the transit subsidies and so on, we do have transit study subsidies; the figure I have in my mind, relative to subsidies for transit this year is $17.8 million among 45 municipalities. There is hardly a city in Ontario that hasn't taken advantage of this particular offer; and the 75-25 cost-sharing on transit studies is really going over very well. It is the combination and co-operation that the municipalities get through the ministry that is making this programme a very large success; indeed, I suppose this is one of the reasons that we are faced with this $4.2-million vote.

Mr. Chairman: The member for Waterloo North.

Mr. Good: Mr. Chairman, I just want to say a few words to impress upon the minister how important provincial subsidies are to the municipalities. We in the "twin cities" have noticed a tremendous improvement in our public transit system, which has been brought about by the fact that there are now subsidies for approved programmes.

Many of us had spoken for years about the fact that we got 75 per cent subsidy on our expressway but we couldn't get one nickel to upgrade our bus system. Fortunately, we now have the best of both worlds. Our expressway was built before it became fashionable to oppose things of this nature. Now, in the past six months it is almost unbelievable how our bus system has been upgraded. We have transportation now because it can be subsidized, and people are using it to such an extent that it is now operating at capacity; and there will not be enough vehicles available for the Christmas rush on our public transit system.

Anything this ministry can do to encourage municipal use of the provincial subsidy for public transportation systems will mean dollars well spent.

Our experience has been that you can get to areas in the "twin cities" that you could not possibly have reached before; there now is service on Sunday, which there wasn't before. People are very pleased, by and large, with the subsidy given by this province for our public transit system.

I also point out that expressways must form part of a transportation system in any municipality, but we in the "twin cities" are very pleased that we have the best of both worlds up to now.

Hon. Mr. Carton: Mr. Chairman, I won't take issue with the hon. member.

Interjections by hon. members.

Mr. Chairman: Anything else on vote 2202?

Mr. Foulds: Does the minister have specific amounts for various municipalities?

Hon. Mr. Carton: I don't. I can get that and deliver them to you personally.

Mr. Foulds: I won't take the time of the House, but could he get a list of subsidies to all those towns I listed in my question some time ago—towns like Atikokan, Geraldton, Kenora, Rainy River, Fort Frances—where you ran all those beautiful ads about "Going the New Way"? And could the minister tell me at this time when Kenora can expect this dial-a-bus system?

Mr. Laughren: Gogama too.

Hon. Mr. Carton: Mr. Chairman, I might mention that this list was read out during my estimates; not the member's list but a list of subsidies for transit and the cities that received them was read out during my estimates; the figures and names are in Hansard.

Mr. Foulds: Would the minister answer the second part of my inquiry? When can Kenora expect this dial-a-bus system?

Hon. Mr. Carton: Whenever Kenora makes approaches to the ministry.

Mr. Foulds: Was the ad that you placed in the Kenora Daily Miner, which was specifically about the dial-a-bus system, an encouragement or a subtle hint from the ministry that they should adopt and develop a dial-a-bus system?

Mr. Martel: I hear Moosonee is looking for one.

Mr. Laughren: After Gogama.

Mr. Lewis: From Sudbury to Lake Wanapitei.

Mr. Martel: You might be ruled out of order.

Mr. Lewis: No, I don't think so. I think I am directly in order. Talk to us a little bit about the peculiar difficulties into which the Krauss-Maffei system is running, as you develop it; particularly as the TTC sort of re-examines or examines its position. I want to speak to you—

Mr. Chairman: I am sure this was covered during the regular estimates of this ministry.

Mr. Lewis: Frankly, Mr. Chairman, I'm not interested in exploiting this at length, but part of this money is specifically going to Metro Toronto; there's no question. I want to pick up something that's happened since the estimates and I want to ask the minister quite genuinely about it. If you want to endeavour to frustrate us by all means, but I don't think I'm out of order. I think I'm in order.

Mr. Chairman: The hon. member must admit if we repeat the same discussion that we had during the regular estimates he is abusing the House and the rules of the House.

Mr. Lewis: You're a most presumptuous Chairman. I have not yet said a thing about this and you're assuming that I'll repeat it. With great respect, I'd like the opportunity to feel that I'm repetitive before you charge me with it.

Mr. Chairman: I haven't said you were repetitive.

Mr. Lewis: Okay, I shall be very careful. I want to ask the minister, and I'm not sure we've cast the discussion in this context sufficiently as yet, what is it, does he think, that has allowed or has prompted so many of those who were, like the minister and the Premier, looking for an alternative, sometimes spectacular or otherwise, what is it that prompted all these people to have such an attack of faint-heartedness, to have such a feeling of insecurity about it? What is it that allowed the TTC and the Bill Kilbourns and so many of the council members who wanted to view your magnetic system as a breakthrough, and who wanted to see it as the answer; what has happened in the whole debate that has allowed them now to entertain such extraordinary doubts?

Is it that the defence of the Krauss-Maffei system is seriously wanting? Is it the defence has been presented inadequately? Is it that you've relied too much on gloss and the public relations display and not yet enough on substance? How is it that bodies as knowledgeable as the TTC and individuals as sympathetic to the solution to Toronto's transit problems as those who sit on council find,

increasingly, non-confidence in the government's venture?

What does that do in both the short-term and the long-term to the public's acceptance of it and to political criticism of it? I'm deliberately not wanting to go back over the estimates and make the kinds of criticisms that some have launched on this side of the House. I'm putting it in a different context. I'm saying to you that the strain of non-confidence in the system which the government is attempting to deliver is growing and accelerating at an enormous rate. I'm frankly quite amazed by it. I'm wondering what you intend to do to counteract it; and if you can explain why the same people who were such early converts are now having such profound and critical second thoughts?

Hon. Mr. Carton: Mr. Chairman, I welcome the hon. member's questions. This was discussed thoroughly in estimates but I'm delighted to discuss it again.

I would that I had five minutes to get back to my office, and I can't, because I have a five-page letter on my desk from the former chief construction engineer and the man, as I've mentioned before in this Legislature, who was recognized, not only by the present council and the former councils of Toronto and Metropolitan Toronto, as the foremost authority on the subways. I have a five-page letter from him extolling the virtues of what the government is doing on the new ICTS system.

I must say that I personally have never felt more confident than I do today about the Krauss-Maffei system. The thing that probably has brought it to the leader of the NDP's attention is some of the press reports. I would put it to him this way, that when you have public meetings, and you have, say 50 or 60 people at public meetings and out of those 50 or 60 people you have, for example, researchers from some of the political parties who rightfully are there but who are negative in their thinking; when you have people who have a cause to advance, and I don't blame them, relative to the light rail system and they are there to discredit what the government is doing; and when you have all these special interest groups and God bless them, attacking a system; then obviously the press, and I don't blame them, are going to pick up the negative thoughts that are expressed at that meeting.

I mentioned to you that where I have appeared, and I'm not an expert and I'm not an engineer, and in simplistic terms spoken to people, showed the film and asked for their comments, and some of them are very sophisticated audiences comprising engineers of many different classes, they—and I say this advisedly—are behind the scheme.

The mayor of Winnipeg, Mr. Juba, thinks that we are on the right track. The federal government has not yet come to an involvement with our Urban Transportation Development Corp., but it is decidedly interested. Perhaps what is making the negotiations there a little more difficult is that we have to look after the Province of Ontario. We have time constraints and we must get on with the job.

All I can say is that we have, on the construction job at the CNE for this demonstration project, one of the most knowledgeable men from my ministry, Mr. Allen. I get reports from him and I get reports from Mr. Foley, whom you know. We are well into the time constraints and we are well into the programme, and I have not had one iota of scepticism brought to my attention on the whole programme, when you put it in the proper context.

I have said in this Legislature that what a metropolitan area needs are many modes of transportation. I wouldn't think that the ICTS is the be-all and end-all of intermodal transportation; it is a system. We as a government are prepared to spend $17 million to prove this system.

The search went on, as you know, for some three years. It was quite publicly acclaimed. Until the finalist was chosen I really didn't hear that much complaint about our search for a new mode. It was only when the finalist was announced or the winner or whatever you want to call him was announced, that there started to be these criticisms. But again, all I can say is that from the information that I have from my reading of the press, from the enthusiasm of people like Mr. Patterson, from people like the mayor of Winnipeg and from people across the border who are interested in it, I personally think the $17 million is a very good investment.

I think Mr. Patterson probably put it in the proper context when he said that any time you leave a snug, comfortable seat, in other words a do-nothing seat, you are going to get criticized. That is fair enough. We are pioneering, but we would still be flying around in reconditioned DC-3s if we didn't opt for jets.

Mr. Lewis: I don't want to make the criticism mindless in that sense and I think you appreciate that. We have profound reser-

vations about Krauss-Maffei, but I want to try to cast it in a way which understands it.

I am getting an exactly opposite reading. Maybe that's because we are distant from it and you are so deeply involved; and that may make the measure of your assessment much more valid than ours, I don't know. My sense is of an accelerating crescendo of doubt rather than of assurance.

It is good to hear you say that in terms of inter-modal transport the ICTS is only one means. There was a general public impression that all five prospective lines, all five possibilities, were likely to be ICTS-based or to use ICTS. Then of course it emerged, again through the TTC, that perhaps the most useful route for the ICTS would be the Bloor-Danforth route right across the city, and perhaps northeast into Scarborough for Malvern, the zoo, the now defunct airport, etc.

The question is when the Metro council begins to develop such doubts that they delay the $800,000 expenditure on route alternatives, then I begin to wonder whether that isn't in jeopardy as well and whether we may not be developing the ICTS purely for the crosstown Metropolitan Toronto passenger route.

Maybe that is enough to legitimize it. I must admit I don't know. It seems to me that to spend the $17 million for that alone may be a spectacular political decision but it may not, in economic terms or in social terms, be a desirable decision. Again, I wish we could hear more about it.

David Barrett, the Premier of British Columbia, visited Krauss-Maffei when he was in Germany. He expressed when he was here, I think it is fair to say, considerable scepticism at what he saw, particularly in terms of some other transit systems in Germany.

Maybe you are right, maybe in the discussion period leading up to the choice of Krauss-Maffei there wasn't nearly so much public attention. I now have as my bedtime reading —because I'm an eccentric, as all of you know—a little journal called "Modern Tramway and Light Railway System," which is a fascinating, splendid little journal—it's a United Kingdom journal—and in their October, 1973 edition they do a world survey of light railways.

It's an extremely authoritative, knowledgeable little periodical. What it demonstrates is that most of the world, west and east, is going in a direction divergent from that of Ontario. It doesn't mean you have to be in step. You can be out of step, I won't begrudge you that. I pretend that it's useful to be out of step sometimes. I was interested to note that when they talk about Australia they single out Adelaide, they single out Melbourne, and they say:

> In Sydney the Minister of Transport recently stated that the tramway abandonment of 1961 was the greatest transport mistake ever made. The Labour Party plans to introduce new light rapid-transit lines on heavily-used corridors where tramway rights-of-way still exist.

They go through country after country where all the contemporary decisions are on light rail systems; conscious, thoughtful decisions. In other words, a dependence on and an expansion of a system which is not consonant with Krauss-Maffei, and I think that that is part of the reason for the developing lack of confidence in what the government has determined to rest its laurels, hopes and expectations on.

Maybe you've done it too easily. Maybe the vast spectacular presentation was a mistake. Maybe the maps implying more routes than you ever intend to use were a mistake. Maybe the $100,000-plus advertising campaign throughout the province is a mistake, because what it does is it sets a level of expectation and assumption that no one in their right mind believes is possible. Therefore, there is a very deeply-rooted feeling that maybe the government is putting one over on us, maybe in fact this will never occur, or if it occurs it will purely be an experimental ride and it will be a feasibility study only, it will never be a real transit system.

I had a lot of basic criticism of Krauss-Maffei and a lot of questions to ask. I shall not abuse the time of the House to do it now. I shall simply say to you, Mr. Minister, that I think that either you mount a defence of the system that you have chosen which is articulate, substantial and impressive, or that the degree of public doubt will swamp you; that, in fact, gradually people are coming to the conclusion that this system is a put-on, politically self-serving and that if it may work it will work only in a limited way, at enormous public expense and that there have to be reasonable and less expensive alternatives.

And look, from Czechoslovakia to Australia, there they are. They are all in use. Indeed, as you know, Czechoslovakia is now the biggest eastern European manufacturer of light rail transit. In fact, it's happening in many of the western European countries as well.

So I'm not making your case. You'll have to do that yourself. So far it's been not terribly well managed, I think. It may not be the minister's doing. It may just be matters of presentation, political strategy or whatever. But I can't emphasize strongly enough how public confidence is eroding in this whole magnetic fantasy that the government is cherishing. Sure, it gives heart to those of us who are trying to develop alternatives. That aside, what does it do to the government system and what are you prepared to do to explain it and defend it, because at the moment its reputation is not good?

Anyway, I raise those things because, like everybody else, I'm a novice and only learning, and the more I read about it the more it raises questions in my mind about the system that you have chosen, since you've now chosen it. I think that's what is happening to council and I think that's what is happening to Kilbourn and I think that's what is happening to the TTC; that everybody wonders what you've done. I say to you that we really don't have anywhere near the kind of evidence in front of us which can give us confidence in the system thus far.

Hon. Mr. Carton: Mr. Chairman, many of the countries that have the light rail system of which you speak are also on a search for a new mode. West Germany itself is funding, to a large degree, the search for a new mode.

Mr. Lewis: But they haven't chosen this deliberately; they haven't chosen Krauss-Maffei.

Hon. Mr. Carton: But they have not not chosen it.

Mr. Lewis: I understand Krauss-Maffei is not on the list; that's why they are funding a separate research. They are just not persuaded that is the answer for them.

Hon. Mr. Carton: Mr. Chairman, all I can say is that I cannot think of a more articulate, a more demonstrative, a more explicit, a more simplistic way of demonstrating it than to build it and let the people ride on it and let the people make their judgement. This is one of the things that has always puzzled me—what more simplistic, what more demonstrative thing could you have than the system itself and let people ride on it?

Mr. Lewis: I can see that, but surely you will concede in your moments—we all have moments of searing honesty as politicians, occasionally, and surely you would concede that for a great many people in the Province of Ontario the $17 million expended on the model at the Exhibition can be seen purely as a device which conveniently comes at an election period, or conveniently seems available—

Interjections by hon. members.

Mr. Lewis: Oh, no. I'm saying it can be seen that way.

Hon. Mr. Winkler: Oh, shame. No.

Mr. Lewis: Maybe people won't be that cynical. Or it can be seen as a device which may never have full expression in terms of a transit system. What I'm saying to you is, while you are building your little model out there, pouring your political faith and hope and goodwill into this little train, which you know and I know will work—because if it doesn't work magnetically, the Minister of Revenue will pull it—but it will work, it will go around the track, we all know that.

An hon. member: Maybe faster.

Mr. Lewis: And in fact, I would have more faith in the Minister of Revenue's—what do you call it?

Mr. E. J. Bounsall (Windsor West): He is a good puller.

Mr. Lewis: His psychokinetic energy is probably greater than that of the entire Krauss-Maffei system. So if that is what happens, fair enough.

Hon. Mr. Grossman: Mr. Chairman, is that parliamentary?

Mr. Lewis: It is an extremely complimentary phrase, it means your velocity.

Hon. Mr. Winkler: Is it parliamentary?

Mr. Lewis: While you are doing that, look what is happening. The TTC has said three of your five routes are probably inappropriate. The Toronto and Metropolitan councils have said about the northeast route to Scarborough that they are not prepared to fund it in terms of a search for that route because they are now questioning your whole raison d'etre.

Planners from other parts of the world are promoting light rail systems as an alternative and even Germany, the home of Krauss-Maffei, has not chosen Krauss-Maffei as their alternative for an intermodal transit system. All kinds of people everywhere else in the world are saying this magnetic fantasy of the Ontario Tory government may in fact be a

political device rather than a legitimate solution to transit needs. And in the process you are providing no security for people; no sense that this is a substantial and important project.

I really have to say to you—and I think the minister knows how much I admire and respect much of what he and his ministry does—but what you have done with Krauss-Maffei is to rely on froth rather than on substance; to rely on models rather than on practice.

I really tell you that there is immense non-confidence developing; and you are simply not doing the job in the ministry to persuade anybody that it is in fact an answer. More and more people are saying to themselves they have chosen their system, but it looks as though there are less expensive systems that are more effective, that carry more people more expeditiously, maybe more efficiently, that won't disrupt the environment as much and, in fact, have more application in other parts of Ontario. As I stand here, Mr. Chairman, of one thing I am confident, you will never use the Krauss-Maffei system outside Metropolitan Toronto, never.

Mr. W. Newman (Ontario South): That is what you hope. You don't want it to work, do you?

Mr. Lewis: It will never be used or justified in another community in Ontario. Nobody has the traffic problems, no, sir. Nobody has the traffic pattern. Nobody has the volume pattern. Nobody has the money to be able to afford the Krauss-Maffei.

I am saying, I am conceding—

Interjections by hon. members.

Mr. Chairman: Order please.

Hon. Mr. Winkler: We will sell it all over the world.

Mr. Lewis: You will what?

Hon. Mr. Winkler: We will sell all over the world.

Mr. Lewis: As a matter of fact, you won't. You won't sell it all over the world because the world is already choosing light rail. All over the world they are choosing light rail now. They are not using Krauss-Maffei. Okay, you have made a political decision, and maybe in terms of Metropolitan Toronto it's a good decision. I just can't decide because we are not getting the information we need from the ministry. Maybe if you spend that kind of money for X million people in Metropolitan Toronto, maybe that is a sufficient raison d'être. But even in Metropolitan Toronto the prime planners are losing confidence.

So I say to you you are in very great trouble on this system and it's largely of your own making. You are going to have to provide us with some facts and some figures and some justification which you simply haven't done yet.

I guess perhaps the reason there is this kind of reaction—when I say only for Metropolitan Toronto—mirrored in my own feelings and the feelings of my caucus mates. Even if the system was a trifle less spectacular, even if the system was a little less efficient, I would prefer a light rail system in Metro which could serve basic urban communities throughout the province equally well, rather than a grandiose experiment for Metro which leaves everyone else waiting another 10 or 20 years before they are dealt with.

It's a basic distortion again in priorities which persists in every aspect of this government. Everything is measured against Metro, Metro the benchmark, the Toronto-centred region, the balance weight of all that occurs in Ontario. Damn it! A little less for Metropolitan Toronto. Shock Metro a little less. Provide more for your urban communities outside Metro and you will have a better province and, in the long run, it's a damn sight better in economic and social terms as well.

Anyway what I am inviting you to do is, if you want to demolish the opposition, that's up to you. You may have it within your power but at the moment you're losing. At the moment the forces ranged against you are presenting a more articulate and persuasive case for light rail than you are presenting for Krauss-Maffei.

Mr. Chairman: Shall item 2202 carry?

The member for York Centre.

Mr. Deacon: Mr. Chairman, I don't think I will be so bold as to predict that this will never work. I think what really bothers me is the fact that the location of this kiddy car line is not in a location that would really test it and would really give an opportunity for the public to test it and know it was good. For example, there is a very much out-of-the-way location that is close by and could be usefully used as a way of proving the co-ordination of this system with existing systems. That is the waterfront area.

For example, that circle of new developments on the waterfront which are now quite a distance away from the key hub of transportation in this province, namely, the new

Metro Centre location. If that whole concept was tied into something where it was being used and the people were able to ride it year round, not just during the fair-weather time of the CNE, then it would be a model that could be the basis of a useful test on an experimental basis.

Coming back to more mundane matters, the use of existing facilities. In view of the fact that many areas, such as the member for Waterloo North mentioned, will be hard-pressed, because of the success of the minister's transit programme, to carry the passengers that have now been attracted to public transit in peak times, has the minister examined means of integrating public transportation of school children in urban areas with the existing public transportation systems? For example, has he considered getting some of the funds the Minister of Education (Mr. Wells) is now issuing in grants to school boards for running yellow buses which clutter up the suburban areas and tying it in to grants to add to existing services or to provide passes for student riders on existing services in the city?

Surely it would be more efficient for us to make better use of the existing public transportation vehicles we have, which would include school buses as well as other vehicles? Has the minister thought about tying in such a low-cost and obvious way of increasing our capacity?

Hon. Mr. Carton: The first thing, Mr. Chairman, relative to the location of the demonstration site, is that this was chosen for the specific elements—the water off the lake, the salt off the Lakeshore and off the Gardiner and all these many factors—which will give us the opportunity to test this particular mode under the worst Canadian climatic conditions.

Mr. Deacon: So would the other locations I mentioned.

Hon. Mr. Carton: No, not really, because—

Mr. Stokes: If you wanted that you should have tried it up around Armstrong.

Hon. Mr. Carton: If I may speak to the point about tying it in so that people in remote areas will know of it—the purpose of the demonstration is exactly that. It's a demonstration. If we instituted a demonstration project in an area which was expecting service and you were expecting to reach the office by 9 o'clock in the morning and it's a demonstration service, you can't say to the people, "We took it off today because we found this wrong with it and we want to perfect it." You can't have a demonstration service giving public service—

Mr. Deacon: It would be better than they now have. They haven't got any service now.

Hon. Mr. Carton: —because this would defeat exactly what you mentioned at the outset of your remarks tonight, that when you have public transit you have to give the proper service.

Mr. Lewis: That is right. That is fair.

Hon. Mr. Carton: What you are saying—

Mr. Deacon: They haven't anything down there now. Anything is better than what they now have.

Hon. Mr. Carton: But that is not the point. Anything is not better than—my point is and you agreed—this was your point not mine and I agreed with you—that you have to give good service to the people when they are using public transit.

Mr. Turner: The member for York Centre doesn't understand that.

Hon. Mr. Carton: Relative to the school children, I certainly have given no thought to integrating school buses with the ordinary public transit system. I have not because again you have the time elements and you have the school buses picking up children in their neighbourhood. Where I live, for example, the ordinary buses would be four or five blocks away but the school bus is on the street; it is picking the children up. They have a time element; they have to be there for clasess and I just don't think it would be practical.

Mr. Deacon: It sure would be.

Mr. Chairman: Shall vote 2202 carry?

Vote 2202 agreed to.

On vote 2203.

Mr. Lewis: Can you tell us what it is for, Mr. Minister?

Hon. Mr. Carton: Yes, I can, Mr. Chairman. This $6 million is for the purchase of the property for Highway 404.

Mr. Martel: That is all we can talk about, I presume?

Mr. Stokes: What is it? I have been sitting here since 5 o'clock this afternoon listening to the supplementary estimates and if you

are going to spend one penny north of the French River, it is an accident.

Mr. Lewis: That is right.

Mr. Stokes: Everyone right down the line, Bronte Park, Tam O'Shanter golf course—

Mr. Lewis: Tam O'Shanter golf course, Highway 404.

Mr. Stokes: —Highway 404, repairs to the banks of Lake Erie. Where does a fellow from the north, a poor boy from the north, get a chance to come in and talk about a few extra dollars for things we so badly need in northern Ontario? What is the nature of the $6 million?

Hon. Mr. Carton: It is for the purchase of property relative to the construction of Highway 404.

Mr. Stokes: What about the $8.2 million?

Hon. Mr. Carton: The $8.2 million, Mr. Chairman—

Hon. Mr. Grossman: A subway for Kenora.

Mr. Stokes: If it is for dial-a-bus or dial-a-plane from Armstrong or from Winisk or some place like that, fine and dandy.

Interjections by hon. members.

Hon. Mr. Carton: Mr. Chairman, $4.8 million of the $8.2 million is for capital expenditures, for buses and streetcars throughout the province. This is a new programme. And $3.4 million is for subways.

Mr. Lewis: Subways?

Hon. Mr. Carton: Right.

Mr. Lewis: Subways, like the one in Fort Frances.

Mr. Laughren: Gogama.

Hon. Mr. Carton: But by the same token, Mr. Chairman, and I think the hon. member will recall this, during my estimates I had representations made about airport construction in southern Ontario and I said no way. It is all for the north.

Mr. Jessiman: Every cent of it.

Hon. Mr. Carton: Every cent of it.

Mr. Stokes: Manitoba spends more by accident on airstrips in northern Manitoba than we do on purpose in northern Ontario.

Mr. Turner: That's the only way they spend money—by accident.

Mr. Stokes: They have got 26 of them. We are struggling to get three.

Mr. Chairman: The hon. member for Sudbury East.

Mr. Martel: I am kind of curious, Mr. Chairman, like my hon. friend from Thunder Bay. The minister talks about the estimates. During them, we suggested what was vitally needed in northern Ontario was some funding for the large townships with many miles of roads but in fact inadequate numbers of people, so that despite the present formula there are simply insufficient funds in order to keep the roads in proper shape, just for school buses both in the unorganized townships and the organized townships which are too large. I don't see anything in the supplementary estimates to improve that for this coming winter or for next spring. As my colleague says, every item we tried to talk about earlier in other votes—parks for northern Ontario, none—

Hon. Mr. Carton: Mr. Chairman, I think the hon. member would agree with me that Sudbury has not fared badly on this urban transit subsidy. Sudbury has fared very well to the extent of maybe $3 million.

Mr. Martel: Well, I appreciate that, but Mr. Chairman—

Mr. Turner: I wish we could get some of that.

Mr. Martel: You don't have enough population. It is not my fault.

Mr. Turner: Oh, get off it.

Mr. Drea: You never even said thanks.

Mr. Martel: Well, give me time, give me time. I've got to ask for more first.

Mr. Lewis: Don't you dare say thanks. It is coming to you.

Mr. Chairman: Order, please.

Mr. Martel: I have to ask for more in the unorganized townships and the large organized townships. What are you going to do for the municipalities who, by historical accident, have now three or four townships under one municipality with 70 or 80 miles of road, and only have maybe 1,400 or 1,300 population? Based on your present formula there is simply no way that they can look after 70 miles of road. It is causing tremendous and very serious problems with respect to school busing and men getting to and from work. You haven't announced any new policy with

respect to alleviating that, and that has been going on for years. Does the minister have no reply?

Hon. Mr. Carton: Well, Mr. Chairman—

Mr. Stokes: Three point four million dollars to Toronto for subways—

Hon. Mr. Carton: —as the hon. member realizes, I have X number of dollars in my budget. We have to take care of the whole Province of Ontario and what may be a problem in Sudbury or in northern Ontario is compounded in other parts of Ontario. It doesn't just relate to northern Ontario.

In eastern Ontario, you can talk about accidents; the killer strip in Ontario is Highway 17 to the Quebec border, with something like 10 people killed per month, or some such figure. Was it not in order to spend the millions of dollars that we have from Ottawa to the Quebec border? It is not northern Ontario, it is eastern Ontario.

We take the dollars and I don't really know what I can do other than distribute them as representations are made and to the best of the ability of the officials and the politicians and everyone concerned.

Mr. Martel: The minister indicated over a year ago that he was in agreement, because of distances and other factors in northern Ontario, that there would have to be a rather substantial alteration in present policy to fulfil the needs because of a variety of factors. We are anxiously waiting that policy announcement which is going to change some of the patterns as they now exist in the north.

Hon. Mr. Carton: Right, but I think that the hon. member will agree that where you are changing a policy you just don't push a button and the policy comes out. If you are going to change a policy relevant to increased funds in the north, then you have to give consideration to what is going to happen in eastern Ontario, what is going to happen in western Ontario, and what is going to happen in southern Ontario. You have to have regard to the whole province. I do recognize that perhaps the warrants—and I said that and I mean it—that the warrants are perhaps out of date relative to northern Ontario.

I had a man in at my clinic, and he was not of my political faith. My clinic—I am not a medical doctor—is where I see people every Wednesday night. The only reason he came in—and you can have his name if you wish—was to tell me that we have the finest systems of highways in the whole of the continent. He said: "You know, you get ridiculed when you say that—but I am going to tell you it is a fact. I travel this whole continent and there are no better highways."

Mr. Lewis: He must have been a Liberal.

Mr. Martel: If you hadn't gone that far I mightn't have got up again.

Hon. Mr. Stewart: No matter what you do no one could ever please the NDP.

Mr. Martel: The Minister of Agriculture and Food has never come to the north.

Hon. Mr. Apps: You are just like a dog with the meat in his mouth; you want more.

Mr. Martel: I want to ask the minister when he anticipates—after some 18 months now—the announcement of the new policy for northern Ontario. Besides that, I want to tell him that he doesn't want to get off Highway 69, Highway 17 or Highway 11, because he will get lost or his car will get lost in the ruts.

Interjections by hon. members.

Mr. Martel: Stick to the main arteries.

I want to make one exception, Mr. Chairman—into Moonbeam. You are all right going into Moonbeam. The Minister of Community and Social Services (Mr. Brunelle) has looked after that.

Hon. Mr. Winkler: That's wonderful.

Mr. Lewis: And in Grey South. That's where they are okay.

What these supplementary estimates show is that it is much worse even than my colleague from Thunder Bay points out. It's not just the north. It's virtually everywhere outside Metropolitan Toronto, because when you are talking about the major projects, or the Metro-centred region; when you are talking about Bronte or Tam O'Shanter or subsidies for the operating deficit of the TTC, or Highway 404 or any of these things, we are talking about the Metro-centred region.

You fellows are traipsing around the province under a programme called "A New Awareness." You run to Thunder Bay. You run to Windsor. You go all over the place and talk about a "new awareness." And then you bring out your supplementary estimates and it's the "old awareness."

Interjections by hon. members.

Mr. Lewis: That's just not fair. That's almost like being dishonest. I want to tell you, I carry a little picture around with

me. It was given to me by one of my most trusted colleagues. You know what it is. It's this marvellous picture: "Series of Bumps for 49 Miles." I carry it with me everywhere. It's the finest political weapon I have ever found outside Metropolitan Toronto, as I point out that nowhere in Ontario in the Metro-centred region would this be allowed under the Ministry of Transportation and Communications. It couldn't possibly be allowed in the Metro-centred region. You would never get away with it.

Hon. Mr. Winkler: Whose riding is it in?

Mr. Stokes: That's a standard sign in northern Ontario.

Mr. Lewis: On a political platform, I recommend it to all of you. I would be glad to share it. It stops every audience dead in Metropolitan Toronto when they see it.

Mr. Havrot: You want to come up to Timiskaming and try the roads up there.

Mr. Lewis: Maybe the member for Timiskaming would like this kind of thing. But I must say that the problem with the supplementary estimates, and it is manifest here in the ministry—

Mr. Laughren: How about the problems that the member for Timiskaming creates? I spend half my time in his riding.

Interjections by hon. members.

Mr. Chairman: Order, please.

Mr. Lewis: Mr. Chairman, that is true. Dealing with the constituency problems in Timiskaming, we have had to put a full-time person on staff for that in our caucus.

In any event, it seems I am being diverted. I would be interested to have from the minister before this session is over—in conjunction with the Brantford Expressway announcement—I would be appreciative if he could in fact give us privately, or table in the House, a list of the amounts, to which public transit systems the operating deficits go, and their various acquisitions of buses and streetcars. Could we have that, in fact, at some point?

Hon. Mr. Carton: Mr. Chairman, I would be delighted to provide that.

I would like to correct something, because I know he would not like to leave the wrong impression.

Mr. Lewis: Not at all.

Hon. Mr. Carton: Out of these $18.2 million, $3.4 million is the subway capital. The others are for the transit system across the province.

Mr. Lewis: Right. But you have not been able to tell us the amounts that are involved—just your guess that probably Metro Toronto gets a little more.

Hon. Mr. Carton: Mr. Chairman, I read them during my estimates—

Mr. Lewis: The supplementary estimates?

Hon. Mr. Carton: No, no, during the estimates.

Mr. Lewis: No, I want to know about these supplementaries.

Hon. Mr. Carton: They are the same groups. It's just that they are getting more money than was contemplated.

Mr. Lewis: I would be interested in the breakdown of this amount.

Hon. Mr. Carton: For me to have on my person every figure and every name—

Mr. Lewis: I carry mementoes of your ministry; there is no reason why you shouldn't.

Hon. Mr. Carton: —would be an impossibility. I will provide it, Mr. Chairman.

Mr. Martel: When are you going to announce that policy?

Interjections by hon. members.

Mr. Chairman: The member for York Centre.

Mr. Deacon: Mr. Chairman, on Highway 404, is this for complete construction of that single-lane highway from the northern end of the Don Valley Parkway through to Lake Simcoe? Is that covered by this $6 million, or how much of it does this $6 million cover? As I understand it, Highway 404, as the minister is proposing in the bill, is very much of a modified version.

Hon. Mr. Carton: Our responsibility, Mr. Chairman, is to Steeles Ave. This is the portion to Steeles Ave. What we are doing is picking up the properties there up to Steeles Ave.

Mr. Deacon: Mr. Chairman, is this only for property acquisition? I thought the ministry owned all the property through to Lake Simcoe and bought it some years ago.

Hon. Mr. Carton: No, Mr. Chairman, Highway 404 was formerly—and still should be but is not—a responsibility of Metropolitan Toronto. We took over the responsibility of building Highway 404 because it was "Z" priority on Metropolitan Toronto's list. But here we had people coming down into a funnel and we just couldn't abdicate our responsibility. We had to build it.

Mr. Deacon: Mr. Chairman, does this mean that this is just for property acquisition of the stretch between Steeles Ave. and the Don Valley Parkway that had never been acquired by Metro because of it being low priority, and now there are no funds in this for actual construction of the highway?

Hon. Mr. Carton: That's right, it's for property acquisition. Some of the properties have been acquired by Metropolitan Toronto, but, of course, we would have to buy them back from Metro.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. Deacon: When does the minister intend to provide estimates for construction of this road? I think the first estimate given me in 1968 was that Highway 404 would be under construction in 1969 or 1970 at the latest.

Mr. Lewis: That's right.

Mr. Deacon: Year after year we've had this delay and year after year—

Mr. Martel: Like the Timmins highway, 35 years.

Mr. Deacon: —the traffic lineups on Don Mills Rd., and particularly on Highway 48, have lengthened and lengthened, and the disruption to the communities has been increasing. The sideroads, including the line I'm on, which is a country road, now carry about as much traffic as most normal highways. When is the construction of that expected to start?

Hon. Mr. Carton: Mr. Chairman, this will be going ahead shortly, but we have to—

Mr. Deacon: Shortly? Can you give us a date?

Hon. Mr. Carton: I would love to be able to give a date, but when you are dealing with property acquisitions, you just can't name dates.

Mr. Deacon: There is such a thing as expropriation.

Hon. Mr. Carton: There are built-in procedures, and properly so, for property acquisitions. There is no way that I, as a minister, will give a starting date, but I would say this, and I am certain that I have your concurrence, that you are delighted with the fact that we're going ahead with this, because basically it serves the people from your area, or many of them.

Mr. Deacon: Yes, I would certainly agree that those of us in the north are anxious that this proceed. However, it's a shame that we're having to spend so much money for property acquisition, because this project should have gone ahead many years ago and probably only a quarter of this amount would have been required to buy the properties.

Hon. Mr. Carton: Again, Mr. Chairman, this was not our responsibility. This was a Metropolitan Toronto road.

Mr. Deacon: In view of the fact, Mr. Chairman, that the traffic was really provincial highway traffic, just as much as Highway 401 is provincial highway traffic, I felt that it was really an excuse for the ministry has been using for years to push aside its responsibility. It wasn't just inter-Metro traffic; that was traffic moving to the north. Regardless of that, does the ministry plan to proceed with construction plans—

Mr. W. Hodgson (York North): Why don't you congratulate him for going ahead with it?

Mr. Deacon: —on the highway north of Steeles Ave. on property that the department now owns? It doesn't need to wait for the acquisition south of Steeles Ave., because after all the major tieups are occurring in the distance between Steeles Ave. and the north. In fact, Don Mills Rd. or Woodbine can carry traffic south from Steeles Ave. into the city, and there are ways of dispersing the traffic once it hits Steeles Ave. from the north.

Mr. W. Hodgson: Mr. Chairman, I would like to answer that question—

Mr. Deans: I'm sure you would, but you're not the minister.

Mr. W. Hodgson: I wonder if the member for York Centre is really serious about what he is saying, because the road north of Steeles Ave. to Highway 7 is a four-lane highway at the present time.

Mr. Lewis: That's right. I had to move from Newmarket back to Scarborough be-

cause there was no way of getting back and forth.

Mr. W. Hodgson: That wasn't the only reason you moved.

Mr. Lewis: Think of it now.

Interjections by hon. members.

Mr. Deacon: Mr. Chairman, I thought the vision of the member for York North was farther than from Steeles Ave. to Highway 7. Actually, it's the congestion of the highway north of Highway 7 that I'm talking about; anyway, those roads are not controlled access roads, and the only way you can handle the large volumes of traffic there is with controlled-access roads.

Mr. Lewis: Actually, I'm moving to Haileybury.

Mr. Deacon: What I'm asking is, when is the minister going to proceed with construction of the controlled-access road on property the department now owns north of Steeles Ave.?

Hon. Mr. Carton: This will be on our list of priorities, and I can assure the hon. member that when it's possible we will do it, but it will not be done before we do the 49 miles from Geraldton to Beardmore.

Mr. Chairman: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, I am sure the minister is aware of the tremendous enthusiasm for fitness that is displayed throughout the communities. I notice that the Minister of Community and Social Services has a $500,000 item for fitness in his programme.

I was just wondering if this minister is going to allocate funds in either of these two votes for the development of bikeways or bike paths along some of the highways. These are very commonplace on the Continent; you will find bicycle pathways along the main highways. I have seen them, and I was very much impressed by them. Here is an opportunity for us not only to provide a safe avenue for the bicyclist but, at the same time, to promote the fitness of our people.

Hon. Mr. Snow: All the way from Windsor to Toronto!

Mr. B. Newman: Are funds going to be allocated?

Hon. Mr. Carton: Mr. Chairman, obviously this is not in this vote—

Interjections by hon. members.

Hon. Mr. Carton: We are looking at bikeways. I'm not saying when we will construct them. We are looking at the programme for bikeways, but it's not in this vote.

Mr. Chairman: Shall vote 2203 carry?

Mr. B. Newman: In the allocation of funds for municipal construction, are there funds in there to encourage municipalities to develop bikeways? If you don't provide the funds, you're certainly not going to encourage them to the extent that we should be encouraging them.

Mr. Chairman: Has the member for Thunder Bay a quick question?

Mr. Stokes: I have one brief question of the minister. For the benefit of the people who ply Highway 11 between Geraldton and Beardmore—

Mr. Martel: Fly. You can't drive.

Mr. Stokes: —can he tell me where Highway 404 starts, where it ends, how long is it and how much is it?

Mr. Drea: It is in Scarborough.

Hon. Mr. Carton: Mr. Chairman, I can't give the construction figures off the top of my head. This is an extension of the Don Valley Parkway up to Steeles Ave.

Mr. Stokes: Just to Steeles Ave.?

Mr. Chairman: Shall vote 2203 carry?

Vote 2203 agreed to.

Mr. Chairman: This completes the supplementary estimates of this particular ministry.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply begs to report several resolutions and asks for leave to sit again.

Report agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House, I will say what I said last evening; we'll stand to do anything on the order paper tomorrow and—

Mr. D. C. MacDonald (York South): Will we all be here at 10 o'clock?

Hon. Mr. Winkler: Naturally.

Mr. W. Hodgson (York North): Will you have more than one member here?

Hon. Mr. Winkler: I think we'll leave the balance of the budgetary debate until the last item on the order paper.

Hon. Mr. Winkler moves the adjournment of the House.

Mr. R. F. Nixon (Leader of the Opposition): Before the adjournment motion is put, was there a suggestion that we sit past 1 o'clock tomorrow afternoon?

Hon. Mr. Winkler: Not for one minute.

The House adjourned at 10:30 o'clock, p.m.

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No. 159



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Friday, December 7, 1973

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 7, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: I'd like to inform the House that I have received the second report of the Ontario Commission on the Legislature.

Statements by the ministry.

ONTARIO BUILDING CODE

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, as the members are aware, my ministry has for some time been developing an Ontario Building Code. The whole area of building regulations was subject to a study by what was ultimately known as the Carruthers committee, and since that time the Ontario code has been gradually developed by numerous committees composed mainly of volunteers from all areas of the building and construction industry, as well as representatives of suppliers, the design professions, municipal building officials, and many others.

The proposed building code is a substantial adoption of the National Building Code with only those variations necessary to the use of the code in Ontario. We are delighted to note that a large portion of our recommendations for change has been accepted by the federal committee.

Mr. Speaker, I am today tabling in the Legislature, for the information of the members, a copy of the draft regulations which includes the technical background on the legislation which will be introduced in the spring. We are, of course, anxious that the technical matters come under close scrutiny by all those affected by the proposed code, and we have for some time been reviewing the code and its ramifications with the provincial-municipal liaison committee.

There are some significant omissions to the draft regulations at the present time. The following areas are under study: requirements for handicapped persons; insulation requirements for buildings; and recent amendments to the National Building Code which include such items as smoke control and more voice communication in highrise buildings.

Mr. Speaker, these areas will be included in the final draft which will be introduced in the spring session. However, in the interim, we look forward to the widest possible review and input to our proposals.

Mr. Speaker: Oral questions. The hon. Leader of the Opposition.

GOVERNMENT TENDERING PROCEDURES

Mr. R. F. Nixon (Leader of the Opposition): Perhaps this question should be directed first to the Premier. I am sure he is going to follow with interest the articles in the Globe and Mail about the tendering procedures, or the lack of tendering procedures, used by the Ontario government in purchasing computer equipment.

Is he aware that no tendering procedures are used or have been used in the purchase and installation of the many millions of dollars of equipment for computer purposes used by the government? Is he going to examine into this trend in government and as a policy matter set it straight, so that tendering procedures of a public and open nature can become more of an integral part of government purchases?

Hon. W. G. Davis (Premier): Well, of course, Mr. Speaker, tendering is an integral part of government activity. I shall obviously be reading the series of articles—I assume there will be a series—with great interest. I must confess that I somewhat enjoyed the headline this morning on Ontario's love affair with a certain corporation.

Not knowing a great deal about that particular industry, I think, though, I would be right in saying that, if one were to look at it as far as the federal government is concerned and other provincial jurisdictions and some states of the union in the private sector, Ontario's love affair with that particular corporation probably is less passionate than several others. I must say to the leader from Brant—

Mr. R. F. Nixon: It never struck me as a passionate love affair.

Hon. Mr. Davis: No, well, I would share that.

Mr. S. Lewis (Scarborough West): But how incestuous is it? That is really the question.

Hon. Mr. Davis: Well, of course, the member for Scarborough West would raise that aspect of it and he would know far more about that than I. I can only say that certainly we will be—

Mr. Lewis: Touché.

Mr. E. J. Bounsall (Windsor West): He just called it by the right name.

Mr. Lewis: I am just a little bit more explicit about relationships than the Premier is.

Hon. Mr. Davis: I will be, as I say, looking forward with interest to what I anticipate is a series of articles on this particular item.

Mr. R. F. Nixon: Supplementary: In case the Globe and Mail isn't going to do all the research for this, will the Premier undertake to look into the matter personally, having to do with the fact that there are allegations that IBM helped write the specifications for the computers needed for some parts of the government; that IBM salesmen actually have office facilities in government facilities, and that no tendering procedures are used?

I have a second question of the Premier. Is he aware that in an answer tabled in the House yesterday, having to do with the procedures of Ontario Hydro and the development of a dam for a new Hydro development in the Arnprior area, once again no tendering procedures were used in the decision to employ the services of a well-known construction company in this province for the basic work on the dam on the Madawaska?

Once again, the whole problem of open tendering procedures comes forward. Will the Premier give his attention to this matter and let us have a statement of policy as to the areas in which he feels tendering on an open competitive basis is essential and the ones in which it is not, because he surely recalls the statement made by the Minister of Government Services (Mr. Snow) that in all direct decisions made by the government, open tendering was going to be the rule and there would be no exceptions?

Hon. Mr. Davis: Mr. Speaker, this, of course, is the general rule. I think the Minister of Energy (Mr. McKeough) in his statement and press conference earlier this week on the report of Task Force Hydro on the make or buy proposition made it quite clear that this is the direction in which government would like to see Ontario Hydro go; I think that that, without question, is the basic approach we take. I am sure there are also situations where there could be some exceptions, although I am not in a position to define what they may be.

I would say to the member for Brant, Mr. Speaker, there is no question that the basic policy of government is for open or public tendering. As it relates to those organizations for which the government has some responsibility, this view will be made known to them without any question.

Mr. R. F. Nixon: Would you permit a further supplementary, Mr. Speaker? Since we have had instances in the last two years of agencies of government—like the Workmen's Compensation Board which went forward with the contract with Fidinam without an open tender; Ontario Hydro which went forward with Canada Square without an open tender; Ontario Hydro in the building of the diversion canal, at least, I believe, for Madawaska, had no tender; and now the dealings with IBM without tendering—surely a strong statement of policy directing the government agencies is necessary? Would the Premier not agree that if there are going to be exceptions, the guidelines permitting exceptions should be laid down also by government policies?

Hon. Mr. Davis: Mr. Speaker, I don't think there is any question as to the general intent of the government. The problem of laying down guidelines in specific areas, of course, is not that easy to do from the standpoint of the suggestion in the article this morning that there are no tendering procedures that relate to the purchase or rental or use of computers. I don't think that that is factually the case in all situations; and as I say, we have made it very clear—

Mr. R. F. Nixon: But the government had some of it without tendering; that is the point.

Hon. Mr. Davis: —we have made it quite clear as far as the government is concerned that it is an open, public tendering procedure. There are some proposal situations in which quite obviously you run into some difficulties because they are not tendering procedures, but I am quite aware of some of the concerns and I think we have made it clear within the government. I am quite prepared to make it even more clear if necessary, and that also applies to, shall we say, agencies or those

organizations in which government does have some involvement.

Mr. Lewis: A supplementary, Mr. Speaker: In view of the Premier's own original surprise at the Hydro select committee's relative support for proposal methods, or its willingness to view them as a procedure in the future, won't he go further than he has been going this morning? Might he go to an absolute commitment that in every area the proposal or friendly relationship method of granting contracts would be dismissed and the public and open tender method would be the only method endorsed by government and any of its agencies?

Hon. Mr. Davis: Mr. Speaker, at a press conference some weeks ago, related to the select committee report, I did register—well, surprise is not the right word. I was—yes, I guess I was—surprised that the select committee itself indicated that there were areas where the proposal method, more closely defined, made economic sense for the government.

Mr. R. F. Nixon: That is two of us who were surprised.

Hon. Mr. Davis: I must say, Mr. Speaker, that I think really when it comes to "developer proposals," my own view is that it is very difficult to so define it that there isn't a judgement factor brought to bear. Even if we were to refine the process very substantially, there would always be the concern that judgement was exercised in a way which might indicate something other than complete objectivity. As it relates to that part of "a proposal method," in my own mind, I doubt if we can refine the process to the extent that it would be acceptable in my mind and in the minds of the members of the House.

I must say that I have only thought of the question of physical plant developer proposals. There may be some areas, if one gets into highly sophisticated equipment in the fields of new technology—for instance, take the Ontario Urban Transportation Development Corp. and I am not suggesting whether or not this will be a problem—in which, if we are attempting to develop new technology, we may have to encourage some companies, where there is, say, only one in the field, to assist in this for a period of time. I think this has been the case in many areas of the more sophisticated developments, certainly it has been the pattern in most other jurisdictions.

I think it's minimal in total dollar terms but I just wouldn't want to say categorically that all agencies of government must have in all instances public tenders, because I think there may be some situations where this perhaps would not make sense; but I think in total general terms I am in complete support of that proposition.

BRANTFORD EXPRESSWAY

Mr. R. F. Nixon: To the Minister of Transportation: Is he going to make a statement today about the Brantford Expressway? There are people in the galleries interested in it, and I am sure they would like to hear his views. Just before the minister stands up, was he clearly understood when he said he would make it before the end of the session, but only on the last day—and if so, how is he going to know when the time is appropriate?

Hon. G. R. Carton (Minister of Transportation and Communications): No, Mr. Speaker. I said I would make it before the House rose, which may be early next week.

Mr. R. F. Nixon: He is not prepared to make a statement at this time?

Mr. J. A. Renwick (Riverdale): What time did he get up this morning?

Hon. Mr. Carton: No, Mr. Speaker.

Mr. R. F. Nixon: Further supplementary: Is the minister aware—since the feelings and emanations and vibrations from him and his closest adviser sitting up in the back row there seem to be negative toward the expressway lately—that some of the people in Brantford, particularly the chamber of commerce and so on, are quite anxious that further information be put before the minister? While no further delay surely is to be expected, is the minister prepared to meet with those people or to give further examination to a decision which he implied yesterday he had already made?

Hon. Mr. Carton: Mr. Speaker, I mentioned yesterday that I would be making the statement, as I advised the hon. leader of the NDP, either this morning, if the House would not be sitting next week, or early next week depending when the House rose. As the hon. Leader of the Opposition knows, I was engaged in this forum last night. I was engaged here yesterday afternoon in legislation, and had it been necessary to make it this morning I would have gone into the wee, small hours of the morning. Because I now have the weekend—

Mr. Lewis: The minister could have got up at 5 o'clock this morning.

Hon. Mr. Carton: No, it is not ready, but because I now have the weekend—and incidentally, a letter was delivered to me personally this morning from the chamber of commerce in Brantford, and I will pursue that letter and its contents and make the statement early next week.

Mr. Lewis: Supplementary: What does the minister mean, he will pursue that letter and its contents? Surely the chamber of commerce in Brantford is not now going to influence his decision based on the Berger report and material.

Hon. Mr. Carton: Mr. Speaker, as was evidenced by the hon. leader yesterday when he was asking my colleague, the Minister of Justice, to give people time to get material in, this is in clarification of some statements that were made during the submissions.

Mr. Lewis: I see.

Hon. Mr. Carton: For that purpose only, I am prepared to read everything and listen to everybody.

LAND OWNERSHIP REGULATIONS

Mr. R. F. Nixon: Two short questions; one of the Treasurer: Can the Treasurer assure the people in the province—probably small groups who are concerned—that committees of adjustment will not pass out of existence simply because the official plans are resting in the offices of the Treasurer awaiting approval or rejection or further discussions by simply the efflux of time; that is, the Jan. 1 deadline having to do with the removal of committees of adjustment and the establishment of land division committees?

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Yes, these are being given top priority. Now, if an official plan arrives Dec. 31, I suppose there may be a hiatus.

Mr. R. F. Nixon: Supplementary: Can the Treasurer give us a guarantee that we can convey to the municipal councils who are inquiring—one inquiry; there may be others—that if these plans are here in the Treasurer's office, as in this case they have been for some period of time, that it will not be left simply to his officials, let's say, to decide whether they can get to them or not?

Hon. Mr. White: Well, sir, I wouldn't want to give a blanket guarantee, but I'll certainly look into any particular instances.

Interjection by an hon. member.

NANTICOKE-PICKERING POWERLINE

Mr. R. F. Nixon: Just one other question to the policy minister for natural resources (Mr. Lawrence)—perhaps I should ask the Minister of Energy, since he is in his place; with your permission Mr. Speaker.

The whole matter of the decision on the inter-linking powerline from Nanticoke through to Pickering, which has been discussed for a great length of time by the commission. Has there been any attention given to the necessity of an inter-linking line five towers wide, and an average of 160 ft high, since the major energy markets of Ontario might in fact be served without such a substantial inter-link for purposes of, let's say, serving the municipal and industrial consumers?

Hon. W. D. McKeough (Minister of Energy): Well, Mr. Speaker, I assume these matters were all covered at the hearings, at which I wasn't present.

Mr. R. F. Nixon: Supplementary: So there is no alternative to the five-tower-wide interlink between those two energy sources?

Hon. Mr. McKeough: I think if there were alternatives, Mr. Speaker, they would have been brought forward at the hearings; and I, like you, will await Dr. Solandt's report.

Mr. Speaker: The hon. member for Scarborough West.

CAMP COMMISSION REPORT

Mr. Lewis: Mr. Speaker, like most members, I haven't really had a chance to do more than leaf through the report of the Ontario Commission on the Legislature, but one small item intrigues me as a question of the Premier.

On page 13, the commission recommends that the Clerk no longer serve as chief electoral officer of Ontario, and yet that position is now firmly embodied in the redistribution resolution. Given the implications of that recommendation for the redistribution commission in Ontario, does the Premier intend to have the two coincide or simply to hold this recommendation in abeyance for a year or two?

Hon. Mr. Davis: Mr. Speaker, certainly for an interim period of time I want to assess very carefully the recommendation on page 13.

I don't think it would be wise at this stage to change the resolution. I think the chief electoral officer has a great deal of experience, and in that he is also the Clerk of the House as far as the resolution is concerned, I think that if it makes sense to do this at some point in time, the appropriate time to consider this would be after the report on redistribution is available to us. But I have just received this myself this morning, and I want to give it very considerable thought.

AMENDMENTS TO WORKMEN'S COMPENSATION ACT

Mr. Lewis: A question of the Minister of Labour: Would the Minister of Labour be willing to stand down the amendments to the Workmen's Compensation Act, given the requests by way of letter and telegram that are now flowing from various sections of the trades union movement, that they would wish to have a hearing, presumably before a standing committee of the Legislature or through another avenue, on these major and decisive changes in the Act, which are now being compressed or telescoped into a two- or three-day period?

Hon. F. Guindon (Minister of Labour): Mr. Speaker, I didn't receive those telegrams, although I was told last night by certain people that perhaps they would like to have more time to look at the amendments to the Act.

I don't know if my hon. friend has seen the Act—I imagine he has—but we are only touching the structure, of course, of the board. It is our intention to come back in the winter session with further amendments to the Act insofar as benefits are concerned.

The reason for bringing it in at this time is certainly not to rush anything; it is because I was informed this had to be done before the first of the year to put the WCB in the right structure and to give the corporate body the authority to operate. That's the only reason.

Mr. Lewis: By way of supplementary, since we all know that it has been operating for some weeks now as though the report were already implemented—the chairman hasn't been sitting in on any of the hearings except as an observer, for example; his function as chief administrative officer is clear—why would the minister want to offend or alienate, which I think he runs the risk of doing, large sections of those who are directly involved in the administration of the Act?

Or can the minister guarantee to bring forward the Act quickly enough to allow it to go through before standing committee prior to the adjournment, and let some of these people express their views? They are very concerned about the internal administrative changes.

Hon. Mr. Guindon: Mr. Speaker, I have no objection at all to the bill going before a standing committee; it is a question of timing as to the adjournment of the Legislature.

Mr. Lewis: Let's move on it very quickly.

Hon. Mr. Guindon: I will see what I can do about it.

TORONTO DOWNTOWN HOUSING

Mr. Lewis: A question, Mr. Speaker, of the Treasurer, I guess. Have the Treasurer and the Premier jointly decided whether there will be special legislation to affect the building of the Sherbourne housing development, which the city solicitor of Toronto feels cannot proceed without a legislative change?

Hon. Mr. Davis: Mr. Speaker, we are assessing this now. It is questionable as to whether it will be necessary. I personally am prepared to introduce legislation if it is, and it may be that we won't need to do it before the winter session. I hope to have some word on this on Monday.

Mr. Lewis: Thank you.

May I ask a question of the Solicitor General, even though it is roughly 10 in the morning—I am clearly reversing my position of yesterday.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): He sure is.

PRIVATE SECURITY ORGANIZATIONS

Mr. Lewis: Well, the House leader has a very splendid array this morning, and we compliment him for it.

May I ask the Solicitor General, first, does he know anything of the activities of Intercon Security Ltd., one of whose employees in the sales and marketing area is the well-known Richard Grange; and has that Intercon Securities Ltd. been checked carefully by his

ministry as to whether its employees engaged in private investigative work are all in fact licensed?

Hon. J. Yaremko (Solicitor General): Mr. Speaker, the activities of Richard Grange and the companies with which he has been associated have been under a monitorship for some considerable period of time. It has not been brought to my attention recently, but I would be very pleased to check into the matter and report to the hon. member.

Mr. Lewis: I would thank the minister.

A further question, by way of supplementary: Is the minister not concerned at the extent of foreign ownership of the private security industry, so-called, in the Province of Ontario, the dominance of Wackenhut and Burns and Pinkerton, American-controlled corporations directly involved in private police forces, in effect; private security forces exercising sometimes what they deem to be the functions of police authority in Ontario—in some cases with very little control, as the minister knows, because I take it amendments to the Act are being contemplated?

Hon. Mr. Yaremko: Not only are amendments contemplated, our intention presently is to introduce, in the coming session, a completely new Act. This matter has been under review during the course of this year. We had almost reached the point of introducing such an Act for this session, but a complete study revealed some of the matters the hon. member has referred to and we are in the process of developing a new Act.

The former Deputy Solicitor General, on my instructions, made a speech in which he did not delineate public government policy, but pointed out some of the problems. I would be very pleased to provide the hon. member with a copy of that speech. Also, we have had consultations with firms, some primarily Canadian, in order to get their views, to see what kind of legislation should be introduced for further control in this regard.

Mr. Lewis: Further supplementary: Will the Solicitor General consider legislation which controls the so-called in-house security forces, security forces that are hired by major firms, from Eatons to General Motors, and which are not covered by any regulations under any Act? As well as covering the behaviour and activities of private security forces on a contract arrangement—Wackenhut, for example, contracting with ABC Corp.—can the minister include amendments which will govern the funnelling back to the United States of private security information acquired in the so-called performance of duty by investigators here? Can the Solicitor General provide some safeguards about Canadian methods dictating, and Canadian attitudes dictating, the performance and behaviour of these forces, rather than American supervisory personnel being brought in via the sort of branch-plant companies here, with their various attitudes to law and order and to security, which can surely pervert the atmosphere in Ontario?

Hon. Mr. Yaremko: Mr. Speaker, the hon. member has touched on only some of the policy considerations which are under review. There are a whole host, with many ramifications; they will all be considered prior to the introduction into this House of, as I say, a completely revised Act.

Mr. Lewis: Thank you. No further questions.

Mr. Speaker: The hon. Minister of Natural Resources has the answer to a question asked previously.

ERIN TOWNSHIP GRAVEL PIT

Hon. L. Bernier (Minister of Natural Resources): Yes, Mr. Speaker; the leader of the New Democratic Party asked a question the other day concerning a certificate relating to a gravel pit or a quarry in Erin township. I think he was referring to CG Materials Ltd., which has about 400 acres in Erin township and 400 acres in the Caledon township. It is my understanding that they are meeting with the council in that particular area, but at this point in time they have not made an application for a quarry licence on this particular property, so we have no knowledge outside of that.

Mr. Speaker: The hon. member for York-Forest Hill is next.

METRO STADIUM

Mr. P. G. Givens (York-Forest Hill): A question of the Premier: Would the Premier consider participating financially in the renovating of the CNE Stadium to 50,000 seats for a proposed cost of $16 million, instead of the proposal of a study of a year ago which was to build, jointly financed by Metro and the province, a stadium at Downsview for 50,000 people for $52 million?

Hon. Mr. Davis: Mr. Speaker, I must say the government was not involved in any commitment with respect to a stadium in Downsview. There was, as I recall, a sort of joint committee with representation from the province and from Metro on a feasibility study as to location and viability of a multi-purpose sports stadium in the city of Toronto. I believe that Downsview was one of the sites recommended; I think there were two or three others, and, of course, there were some tentative figures.

There was no determination on that, and, of course, no commitment from the government. There have been ongoing, not discussions, but conversations, if I can put it that way, as to the progress that might be made with respect to a stadium. The province at this point, Mr. Speaker, has not committed itself to being involved, and I can't honestly say to the member for York-Forest Hill just what direction this may or may not take.

I must confess—and I am now expressing a somewhat personal point of view—that the expansion of or development of a facility that might accommodate, shall we say, a major league baseball franchise for not just Metropolitan Toronto but southern Ontario generally, is an idea that I, personally—and I am speaking now very personally—do not reject. I can't say to the hon. member just what progress is being made at this stage, but I read a great deal and hear a bit here and there, and as soon as we have something more definitive I would be delighted to inform him.

Mr. Speaker: The hon. member for Riverdale.

INJURIES TO ACCUSED PERSON

Mr. Renwick: Mr. Speaker, I have a question of the Solicitor General: Has the Solicitor General seen the report in the Globe and Mail this morning by Donald Grant about the alleged injuries to one Harold Hummel, and if not, may I quote it to him and ask him to conduct an immediate investigation into it?

> Daniel McCarthy, Legal Aid duty counsel, said . . . Harold Hummel's body indicated a very savage beating.
>
> "The suspect . . . showed me his bruises before we went into court," duty counsel said.
>
> "I interviewed him in the anteroom adjacent to the cells. He showed me his chest, stomach and back. It was terrible. Completely black and blue, especially on his stomach. There were hard, strong bruise marks on his back."
>
> [And that in the court] "The judge said that Hummel should be given treatment immediately." It was pointed out that Governor Whitehead at the Don Jail should be advised that Hummel required medical attention.

Would the Solicitor General, in view of that report, investigate it immediately and order an immediate investigation while the matter is still immediate and urgent and topical, to make certain of the substance of what did take place to Mr. Hummel in the police cells in Toronto?

Hon. Mr. Yaremko: Mr. Speaker, I did see that report. I also believe I either read or heard an addendum to the report that the gentleman in question had been seen, subsequent to court, by a medical man and had been examined. I assume it was determined it was not necessary for him to go to the hospital.

My experience with both the chairman of the Board of Police Commissioners of Metropolitan Toronto, and the chief of police leads me to believe that they treat all such matters with great concern and seriousness. I have no doubt but that the investigation to check into the allegations is underway, but I shall be pleased to bring the matter to the attention of the chairman, Mr. Bick, and just double-check that he is looking at the matter.

Mr. Speaker: The hon. member for St. George.

FUNDING OF LIP PROJECTS

Mrs. M. Campbell (St. George): Mr. Speaker, my question is of the Premier: Could the Premier comment on the statement that pressure by this province has forced Ottawa to stop funding local initiative projects in such fields as care for the elderly and the infirm? And would the Premier undertake, in that event, to see that these matters are individually funded through the Ministry of Community and Social Services?

Hon. Mr. Davis: Mr. Speaker, I think that question should be more properly directed to the minister (Mr. Brunelle). My main interest in this has been, and I think I've communicated this over the past number of months to the Prime Minister of Canada along with other matters, the necessity for consultation in this as well as in other programmes. As it relates to any specific area, I would say, Mr. Speaker, if the member would ask the ques-

tion directly of the minister she might get a more definitive answer.

Mrs. Campbell: A supplementary, Mr. Speaker: In view of the fact that the minister, during his estimates, was very appreciative of the LIP grants and that it has not been his criticism, either in the House or out of it, which has caused this matter to come about, how could I possibly address those remarks to him other than to say that he, of course, I'm sure would want them to continue? There seems to be something at cross-purposes here in this government.

Hon. Mr. Davis: Mr. Speaker, with great respect to the member for St. George, there is nothing that is at cross-purposes whatsoever. The minister and obviously his ministry are concerned and involved in some aspects of the assessment of the LIP proposals. I would think, Mr. Speaker, if the member for St. George has any more definitive information as to where the pressure is coming from, I can only say there has been no pressure from me. As I understand it, I don't know where the pressure that's referred to in that article is coming from. If the member for St. George is suggesting that because of certain statements made by a number of people the federal government looks upon that as being pressure and, as a result, is altering its programme that's something else again.

I can only say that there has been no communication from me to the Prime Minister of Canada related to pressure in that sense of the word. All I'm interested in is consultation. If the member for St. George knows more about this and wants to refer to those two specific areas, I say once again, Mr. Speaker, with respect, that perhaps she should direct the question to the minister himself.

Mr. Speaker: The hon. member for Port Arthur.

EDUCATION OF THE DEAF

Mr. J. F. Foulds (Port Arthur): Thank you, Mr. Speaker. I have a question of the Minister of Education. What steps is the ministry taking to set up an advisory council to his ministry for deaf people in Ontario, acting on the request from the Ontario Council of the Deaf about a month ago? Further, what positive steps is the ministry taking to encourage local boards of education to provide education for deaf children from the age of two on? I understand that at the present time only two centres, Ottawa and Hamilton, are accepting children from that age on in spite of legislation which was passed some nine years ago.

Hon. T. L. Wells (Minister of Education): Mr. Speaker, the hon. member will recall that during my estimates I indicated a two-day conference on the aims and objectives of our programme for education of the deaf was held about four or five weeks ago, and out of this is coming a whole new set of proposals which will guide the operations of our schools and the ministry in this regard. I'll be happy to table this and give it to the hon. member in a few weeks when our people have sifted through all the things that were talked about and discussed and suggested at that two-day conference.

Mr. Foulds: A supplementary, Mr. Speaker: Am I to understand from the minister's answer that at the present time, in the intermim pending that report, he does not plan to take any positive steps to initiate the advisory council or to encourage boards of education to increase the education for deaf children?

Hon. Mr. Wells: No, the member is not to intimate that at all. The steps are being taken and the steps are to re-look at our aims and objectives for the education of the deaf. That's what's going on now and those are the positive steps; as they take place all these things will fit into place.

Mr. Foulds: But the government has had nine years.

Mr. Speaker: The hon. member for Huron-Bruce.

POLLUTION MONITORING AT DOUGLAS POINT

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of the Environment. What measures is Ontario Hydro taking at Douglas Point to avoid discharging any hydrogen sulphide into the lake water?

Hon. J. A. C. Auld (Minister of the Environment): Mr. Speaker, Hydro has had additional engineering people working at the plant to solve this problem. As I mentioned, there are emissions outside the area which we can't show on a meter because we don't have one sensitive enough.

Mr. Gaunt: I'm talking about the water, not the air.

Hon. Mr. Auld: As far as the water is concerned my recollection is that hydrogen sulphide in water evaporates very quickly and there has been no long-term problem there because we have been monitoring or checking the water affluent. The real problem is the air. I think I mentioned a week or so ago that Hydro has a new programme which we have accepted and which is under way to increase the incineration capacity they require to deal with the emissions that they have.

Mr. Gaunt: Supplementary, Mr. Speaker: The rapidity of the evaporation of the hydrogen sulphide, of course, is dependent on the temperature of the water. In view of the fact that hydrogen sulphide is readily soluble in water and that hydrogen sulphide can undergo two different processes in water, both of which are very harmful to fish, does the ministry have a detection device in the water outlets into the lake?

Hon. Mr. Auld: Mr. Speaker, I am not competent to say exactly what sort of machinery we are using. I know that we are doing sampling and we will be continuing sampling throughout the winter because we want to get the year-round results for background information.

Mr. Gaunt: A final supplementary, Mr. Speaker: In view of the fact that the sulphur content of the water near the plant has increased substantially, I gather, within the last couple of years, would the minister take another look at his detection devices with respect to hydrogen sulphide going into the lake water? Secondly, does the minister have any information with respect to the amount of hydrogen sulphide being brought into service that plant every week?

Hon. Mr. Auld: In answer to the second question, I don't have, Mr. Speaker. I can obtain that, I suppose.

As for the first question, I will pursue it. I do know that we are looking at some types of metering equipment which are really quite new. I think these are some German devices for measuring hydrogen sulphide which are said to be more sensitive than the equipment heretofore available. I will get the information for the hon. member and pass it along to him.

Mr. Speaker: The hon. member for Windsor West.

ST. THOMAS PSYCHIATRIC HOSPITAL

Mr. Bounsall: I have a question of the Minister of Health, Mr. Speaker. Is it true that his ministry is planning to reduce the operations of the Ontario Psychiatric Hospital in St. Thomas from 1,100 to 300 patients and has, in fact, already reduced the number of patients to 800? Where are these patients to go since there are not sufficient treatment facilities in Windsor and Essex county to absorb patients presently, and probably prematurely, pressed back into the community?

Hon. R. T. Potter (Minister of Health): Mr. Speaker, it has been the programme of the ministry for some years now gradually to cut down on the number of patients in our psychiatric institutions There is nothing unusual about this. As other types of accommodation become available, then naturally we get the patients out of the hospitals.

Mr. Bounsall: Supplementary, Mr. Speaker: Is the minister then saying that no patients will be pressed prematurely back into a community from the St. Thomas Psychiatric Hospital until there are adequate treatment facilities in that community to continue whatever help those patients may need?

Hon. Mr. Potter: What I am saying, Mr. Speaker, is that we are continuing to provide the type of accommodation most suitable to the patient's needs, and that as soon as this type of accommodation becomes available we will transfer the patient to it.

Mr. Speaker: The hon. member for York Centre.

FINAL OFFER SELECTION FOR TEACHER-TRUSTEE BARGAINING

Mr. D. M. Deacon (York Centre): I have a question of the Minister of Education. In order to remove the causes of very bad feelings that obviously exist around the province between many school boards and teachers, would the minister work with the Minister of Labour to introduce legislation to cover negotiations which would include some of the recommendations and the principles in the final offer approach to labour negotiations, where the aggravation of prolonged delay in negotiations and where the aggravation of starting from extreme positions in mediation would be eliminated?

Hon. Mr. Wells: Mr. Speaker, I think if my friend had been here yesterday, I dealt very completely with what we were doing about legislation.

Mr. R. F. Nixon: Not with the proposal he has put forward.

Hon. Mr. Wells: I told him the kind of process that was going on to bring forward a bill into this House. I really don't see why I should answer the question again.

Mr. Deacon: Supplementary, Mr. Speaker: In view of the fact that the minister did not deal with this particular matter, I would like to see whether he is taking this different approach, a final offer approach, to labour negotiations into consideration for new legislation.

Hon. Mr. Wells: Mr. Speaker, the final offer approach is a suggestion that has been put forward by some people to solve various labour problems—

Mr. Deacon: And it has done so.

Hon. Mr. Wells: It has in some cases and in other cases it hasn't. It is not very widely tried. It's got advantages and it's got disadvantages, and at this particular time I could not give any assurance to the hon. member that we would bring in any legislation that would enshrine that as the way to solve a dispute.

Now there is nothing—and I emphasize this—there is nothing at the present time that inhibits a school board and its teachers from adopting this on a voluntary basis. In any problem area in this province where there is a labour dispute at the present time, if they wish to adopt this particular procedure to solve their dispute, they can do it if they both agree to.

Mr. Foulds: Supplementary, Mr. Speaker—

Mr. Deacon: Supplementary: In view of the fact—

Mr. Speaker: I think the hon. member for Port Arthur has been attempting to ask a supplementary.

Mr. Foulds: Could the minister clarify whether the mediators he has ready to go will be sent at the request of one party or only if both parties request them? Secondly, is the minister considering withdrawing grants from school boards in January if they do not open their doors?

Mr. Speaker: The member really asked two supplementaries, which I don't think is right.

Hon. Mr. Wells: At the present time, Mr. Speaker, we are sending mediators if both parties jointly request them. If the schools close in January, the grants will be so reduced, as they were last year.

Mr. Speaker: Supplementaries? Then it is the turn of the New Democratic Party. The hon. member for York South.

TRANSPORTATION OF HOME-MADE WINES

Mr. D. C. MacDonald (York South): I have a question of the Provincial Secretary for Justice. The minister will recall that some two years ago the government was rather forcibly reminded of the obsolete nature of the law with reference to the consumption and transportation of home-made wines. What conceivable explanation is there for the fact that, two years later, nothing has been done and, as a result, thousands of lowly citizens are in breach of the law—indeed, many of the higher echelons in Queen's Park, I suspect, including the cabinet? When are we going to bring the law up to reality and not have too many people in breach of it?

Mr. R. F. Nixon: How about the front benches of the NDP?

Mr. R. F. Ruston (Essex-Kent): The member for High Park (Mr. Shulman) can get them some out of his basement.

Hon. G. A. Kerr (Provincial Secretary for Justice): Mr. Speaker, it is my understanding that the Minister of Consumer and Commercial Relations' review of all the liquor legislation in the province will encompass consideration of that area of the industry, whereby certain private enterpreneurs produce the brew for their own use and for their friends—

Mr. R. F. Nixon: Who?

Hon. Mr. Kerr: —and I think a recommendation will be considered to make, shall we say, minor transportation of such liquid legal, I hope, in the future.

Mr. MacDonald: Well, a supplementary question: I take it that the issue has been resolved at the policy level and it was working its way in a weird and wonderful fashion through the administrative problems at the ministerial level. Is that correct?

Hon. Mr. Kerr: Well, I might say, Mr. Speaker, that there still is further policy consideration to come before the committee, but in a very general way we have indicated some of the areas we'd like to see reviewed.

Mr. MacDonald: In the fullness of time they will bubble to a conclusion.

Mr. Speaker: The hon. member for Rainy River was next.

WINDOW SAFETY DEVICES

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Can the minister explain why the uniform building standards committee of his department, in conjunction with the Ministry of Labour, has not taken any steps to bring in some requirements that windows on apartment blocks have some kind of safety device in order to prevent small children from falling out and to their deaths? Why has the minister ignored the recommendations of three coroners' committees in the last few years in this regard?

Mr. Speaker: There are 30 seconds left for a response.

Hon. Mr. Clement: Mr. Speaker, the enforcement of building regulations has been and is up to the present time within the purview of the municipal bylaw inspectors. I'm not aware if the member was in the House this morning when I tabled the draft regulations under the proposed Ontario Building Code, but I hope the matters touched upon by the hon. member will be resolved and contained in those draft regulations.

Mr. Reid: Do they cover this?

Mr. R. F. Nixon: The minister hasn't read it either.

Hon. Mr. Clement: Didn't the member read it?

Mr. Speaker: The oral question period has now been completed.

Petitions.

Presenting reports.

Hon. Mr. Potter presented the annual report of the Ontario Mental Health Foundation for 1972, the annual report of the Ontario Cancer Treatment Research Foundation for 1972, the annual report of the Alcoholism and Drug Addiction Research Foundation for 1972, and the annual report of the Ontario Ministry of Health, which runs from Jan. 1, 1972, until March 31, 1973.

Hon. Mr. Lawrence, in the absence of Hon. Mr. Auld, presented the annual report of the Ministry of the Environment for the fiscal year beginning April 1, 1972, and ending March 31, 1973.

Hon. Mr. Clement: Mr. Speaker, I have three reports which I would like to table today for the information of the members.

The first report is made by the property rights division of my ministry and it incorporates the annual report of the director of land registration.

The second report is the ninth annual report of the Pension Commission of Ontario for the year ending Dec. 31, 1972.

Finally, Mr. Speaker, I'm tabling the first report of the Commercial Registration Appeal Tribunal covering decisions made during the period May 8, 1971, to Dec. 31, 1972.

Mr. Speaker: Motions.

Introduction of bills.

FINNISH NATIONAL INDEPENDENCE DAY

Mr. Foulds: Mr. Speaker, before the orders of the day, I would like to inform the House that today is Finnish national independence day. As the riding of Port Arthur, Ont., contains the largest number of people of Finnish extraction living outside of Finland itself, I am sure the members of this House will join with me in extending our best wishes to the Finnish community of Ontario today.

VISITORS

Mr. Deacon: I would like to bring the attention of the House to grade 12 students from Thornhill Secondary School this morning.

Mr. Lewis: Why is the Solicitor General not clapping?

Hon. Mr. Yaremko: Because for the last 10 years the members opposite have made a joke of such things.

Mr. Lewis: No, no. I agree with the matter of simple recognition. It is the gilding of the lily that bothers me.

Hon. Mr. Yaremko: The member for Scarborough West will live to regret the joke.

Mr. MacDonald: There are so many things the Solicitor General will live to regret.

Hon. Mr. Yaremko: The member for York South has a double standard.

Mr. MacDonald: That's what the Solicitor General has.

Mr. Speaker: Order, please.

Orders of the day.

Clerk of the House: The 28th order, House in committee of supply.

SUPPLEMENTARY ESTIMATES, MINISTRY OF COLLEGES AND UNIVERSITIES

On vote 2402:

Mr. Chairman: Vote 2402. Does the hon. minister have an explanation he might wish to make; if not, any comments?

Hon. J. McNie (Minister of Colleges and Universities): Mr. Chairman, there are two items. The first item is an adjustment in the government's account—there is no additional expenditure involved. The amount of $1.45 million represents the transfer of funds from the estimates of the Ministry of Education to the estimates of the Ministry of Colleges and Universities, involving the transfer of the Peterborough, North Bay and London colleges to universities.

The other item refers to the budget. When we indicated the maximum rate of taxation was increased to $50 per full-time student, the enrolment was not available, and the sum of $546,000 represents the difference between the tax payable on the enrolment estimated by TEIGA and the taxes actually payable on the final enrolment.

Mr. Chairman: Vote 2402. The member for St. George.

Mrs. M. Campbell (St. George): Mr. Chairman, I appreciate the explanation of the first item under universities, but according to our reference it is grants for operating costs. Do I take it that is specifically, only for specific colleges and universities?

In order to clarify my position, in view of the very narrow rulings of the Chair yesterday, I would like to say that I am very reluctant at this point, personally, to vote for any supplementary assistance to universities or colleges in view of the fact that I have not had any report back from this minister as to what steps he is taking to discontinue discriminatory aspects of both of these institutions. In so far as universities are concerned, I would like to know to what extent the minister has moved to try to ensure that we do not continue the policy of giving preference to foreign professors over our own graduates in our universities.

Mr. Chairman: Order, please. I think the minister explained the purpose of this money, so this entire discussion is—

Mrs. Campbell: Very well, I will relate it, then, to the specific institutions which have been named as being made benefactors of this additional funding. Let him tell me in these cases just exactly what the staff situation is, what the provisions are for pensions for women and men in these particular bodies.

I am sorry, I didn't catch the name. One was Peterborough college, as I understand it—was that it; and the other North Bay? I don't know.

Would he tell us, in those specific instances whether the discriminatory practices are continuing or whether he has done anything about it; and what commitment can he give to this House that he intends to do something about it?

Unfortunately, I haven't been very struck by the way in which this minister has honoured his commitments as a result of the criticisms during his estimates, and also his commitments to this member in dealing with such matters as CJRT. I don't see any provision in the additional estimates for CJRT, which doesn't fall within either of these categories.

Would the minister now give this House his position on both the matter of foreign control of the culture of our students, if I have to relate it only to two specific institutions; and secondly, what is he going to do about the discriminatory aspects as they relate to women in these institutions?

Hon. Mr. McNie: Mr. Chairman, because of the noise at the time I made my statement, it may not have been very clear that this sum of $1.45 million doesn't represent an additional expenditure, it is simply a transfer of accounts from the Ministry of Education to Colleges and Universities, because of the—

Mr. B. Newman (Windsor-Walkerville): It is additional to you; it is that much more you have to spend.

Mrs. Campbell: Mr. Chairman, it is additional to this ministry.

Hon. Mr. McNie: That's right. So far as the questions are concerned, I honestly can't answer the specific questions as to what is being done at Queen's, because the Peterborough Teachers' College is now associated with Queen's University. I can restate what I said before, that the ministry has made representations over a number of years to the universities with respect to the proportion of faculty from other countries. I think the figures just released by the select committee would indicate there is a great deal of progress being made, but still room for improvement in some areas.

So far as the government is concerned, we have not had a chance to study all of the recommendations made by the select committee. I would hope, without the necessity of quotas being established, that the universities would improve the proportion of foreign faculty.

So far as it referred to discrimination involving women, again we are encouraging the universities, just as we are our own civil service, to improve the proportion of women in our institutions in responsible jobs. I know in our own ministry, as I mentioned during the estimates debates, in the last year, just for instance in the appointments to boards, the number of women that have been appointed represented 25 per cent of the number of new appointments, as opposed to a much lower percentage in previous years. These are some of the tangible things we are doing as the opportunities arise.

Mrs. Campbell: Mr. Chairman, if I may: Would it not occur to the minister that one of the chief things which his ministry could do to show that he means what he says is to ensure that the pension benefits, for female employees if you like of the colleges and universities, are the same, rather than continuing the discrimination which has existed far too long? Perhaps these people who run these universities and colleges would have more faith in the government's intent if the government itself chose to take a step over which it has complete control.

Hon. Mr. McNie: Mr. Chairman, my understanding is, and I had indicated to the hon. member opposite, that amendments were in hand which would have the effect of correcting what appear, and I use the word "appear," to be disparities. If I am wrong, I would like to be corrected by the hon. member.

Mrs. Campbell: Mr. Chairman, some questions were addressed to the Treasurer (Mr. White), and he with his usual platitudinous remarks stated that a great deal had been done about this, but that we hadn't gone far enough and he would have to wait for some report from those studying the matter. He did not respond, as I recall it, to the question as to why you people would take the position of having the federal government take the initiative in this field, as they are doing.

Surely this is something that should concern this minister, if in fact he has a commitment to this area. Would he now tell me where in this supplementary we provide for CJRT and the Open College? Would it be under the college programme, Mr. Chairman?

Hon. Mr. McNie: Mr. Chairman, I am not sure that this particular item is appropriate to this discussion. The moneys that you are referring to will be taken care of within our regular budget for the current year.

Mr. Chairman: Vote 2402. The member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Mr. Chairman, if I could direct a remark to you for a moment; this practice of bringing in supplementary estimates under a broad description of grants to universities and grants to colleges ends up putting you in a difficult position in restricting the debate. When I spoke to the minister and his deputy last night and indicated that I thought the vote was a very broad one and would open up all areas of debate, there was no indication that this was not so.

Mr. Chairman: Order. If I might just reply to that, item 2 in vote 2402 in the main estimate book was the place for general discussion and that has been carried in this House, either in the estimates committee or in the committee of supply. When anything has been carried, it is not proper to rehash the whole thing over again.

This is not for general discussion. There is extra money required and the discussion should be directed to finding the reason for that and the justification for it, if I might point it out.

Mr. Laughren: If I could respond, I must say that I found the minister's explanation of this supplementary to be incomprehensible and I don't think it was my faculties that were lacking. I would request that there be a further explanation of this supplementary

amount. I did not understand the minister's explanation.

Hon. Mr. McNie: Mr. Chairman, do you want me to read it again?

Mrs. Campbell: Why don't you just tell us? It would be easier.

Hon. Mr. McNie: No, I think it would be easier to read it.

Interjections by hon. members.

Hon. Mr. McNie: There are two items, one dealing with the transfer of the teachers' colleges, which is the larger item of the two items referred to here. I must confess that I agree it would have been easier if you had known what these two items represented.

The transfer of teachers' colleges accounts for the $1.45 million and it involves the transfer of the Peterborough, the North Bay and the London colleges to the universities. As I said, this is an adjustment in the government's accounts and as far as the overall is concerned, it doesn't account for additional expenditures.

The other item is the $546,000, which is the grant to the universities to compensate for municipal taxation. You will recall that in the budget speech the increase in allowance at the municipal level was $50 for a full-time student; and because of the increased enrolment over and above the estimate made by TEIGA we have this differential. That is what the $546,000 represents.

Mr. Laughren: Thank you. I do understand it a little better now. I was desperately hoping when the supplementary estimates came in, Mr. Chairman, that besides the necessary sums being asked for there would be an additional sum to beef up the attempts of Laurentian University in particular to offer a meaningful bilingual programme at the university.

I realize one cannot take funds out of the allocation in the supplementary estimates but I hope that in the new year there will be, as the university has requested, additional funds; and that as well as the bilingual grant being increased the compensatory grant now being offered will be made more realistic, particularly for the smaller universities in the province because those are the ones which are suffering due to a levelling off in enrolment, more so than the large universities.

Mr. Chairman: Shall vote 2402 carry?

Vote 2402 agreed to.

On vote 2403:

Mr. B. Newman: Mr. Chairman, I wanted to ask the minister if any of the funds allocated here are going to go toward programming at the colleges of applied arts and technology.

There is an acute shortage of certain types of skilled help in the communities. For example, in my own community there is the shortage of persons in the machine trades—tool and dye-makers; machine shop setup men; machine electricians. If there is a shortage one would assume that the community colleges would step into the breach, get sufficient students, accommodate them and provide the courses so that we could overcome some of these shortages. What is the government's policy concerning shortages in various skilled trades, in an attempt to encourage students to go into those trades, because jobs are available; they are waiting.

Hon. Mr. McNie: Mr. Chairman, we are talking now about item 2 of vote 2403.

By way of explaining, item 2 is made up, first of all, of an item of $8.615 million which takes into account the enrolment growth in the current year. This was provided for, as you will recall, to protect them from the full impact of slip-year financing. Now the enrolment increases, of course, were greater than anticipated, in some instances as high as 30 per cent, but averaging over the province something between 10 per cent and 12 per cent. We are just getting the final figures in now.

The other item is an item of $342,000 which represents a transfer of funds from the estimates of the Ministry of Health to the estimates of the Ministry of Colleges and Universities and involves no additional expenditure. This was made necessary by the transfer of the following schools of nursing to the colleges of applied arts and technology: St. Clair Regional School of Nursing in Sarnia: Sudbury Regional School of Nursing in Sudbury; Credit Valley Regional School of Nursing in Mississauga; the York Regional School of Nursing in North York; the Cornwall Regional School of Nursing in Cornwall; and the Osler Regional School of Nursing in Weston.

Responding to the questions of the hon. member for Windsor-Walkerville, I wrote the hon. member for Kent (Mr. Spence) quite a lengthy letter responding to somewhat the same question which you asked as to the work that is being done through our industrial training branch to meet these needs in specific areas. It really comes only incidentally within this vote, which is of course dealing

with the current year. But already there have been steps taken in a number of the trades to provide this, in co-operation with both the trades people themselves and the industrial people, with a good deal of success.

Now I would be very happy to make that memorandum available to you, which, as I say, discusses the whole subject in considerable detail. There is a large number of trades involved.

Mr. B. Newman: I would appreciate receiving the memorandum from the minister, but I did communicate with the St. Clair College of Applied Arts and Technology in my own area and they gave me a reason for not having certain types of course. Theirs was that no one seemed to want to enrol in these courses.

Could the ministry possibly—oh, I shouldn't say the ministry really, it would have to be the college itself—do a little better selling job to encourage students at the high school or technical school level to go into these certain types of trades for which there are openings at the present?

In the Windsor area, naturally, everything is sort of allied to the automotive industry. When I make mention of the machine shop trades you can readily understand, Mr. Minister, that in the areas that I mentioned the demand will always be there, but for some unknown reason students don't seem to apply.

On another aspect of apprenticeship, or adult education, how does a student continue his education if after, say, three years of an apprenticeship course, he can't get an apprenticeship because there are no jobs available in the community for him? There are jobs out of town but he isn't allowed to take those jobs. What is the student to do then to complete his apprenticeship?

Hon. Mr. McNie: We are having continuing conversations with the various groups—and there are a great many groups, as you are aware, involved in this—and I think we have had some success in achieving mobility and acceptance of people in other areas. Now this varies from trade to trade, quite frankly.

Mr. B. Newman: Who controls admission into the trade? Is it controlled by your ministry, or is it controlled by a labour organization?

Hon. Mr. McNie: Mr. Chairman, the answer to that is that at the local level we have advisory committees of one kind or another, and these are made up of people representing the different special interest groups and having regard to the supply and demand in the area; and there are a great many instances that I recall where young people have been able to move to other parts of the province and get apprenticeship. Have you something specific in mind?

Mr. B. Newman: I was going to mention a steam-fitter. A young lad—I shouldn't say a young lad, because he is a 25-year-old individual, so he is not fresh out of school—but he has taken three years in an apprenticeship programme in steam-fitting. There are no jobs available for him in the Windsor area so that he could continue in the steam-fitting programme. But there are jobs available, I understand, in the Sarnia area. Yet he cannot transfer from the Windsor to the Sarnia area. What holds him back? He wants to complete his education and become a certified steam-fitter.

Hon. Mr. McNie: Mr. Chairman, I don't know the answer to that specific question, but I'd be very happy to get a response sent to the member.

Mr. B. Newman: Thank you. Another question of the minister, if I may, and that is concerning the recent fire at the St. Clair College library facilities. Is the ministry providing funds in this item to replenish the library?

Mr. Chairman: That's not part of these estimates, but the minister may provide a quick answer.

Hon. Mr. McNie: Mr. Chairman, as I understand it, the fire damage is at least substantially covered by insurance, and we have asked them to advise us as to what other needs they might have to take care of it. There has been a great deal of co-operation shown by other institutions, including the University of Western Ontario, in meeting their immediate need, which of course is for books.

But to very quickly answer your question, we are prepared to help them in any way we can to restore their facility.

Mr. Chairman: The member for Nickel Belt.

Mr. Laughren: Mr. Chairman, I assume this vote is, as the minister said, a result of the increased enrolment in the colleges, the $1.6 million of the vote—or rather $8.6 million, sorry, of this vote is for increased enrolments. Therefore, Mr. Chairman, I would also assume that I will not be ruled out of order if I confine the discussion to enrolment fig-

ures and some of the problems with enrolment. Is that true, Mr. Chairman?

An hon. member. Of course not.

Mr. Chairman: Sounds reasonable to me.

Mr. Laughren: Sounds reasonable to you; all right.

I'll tell you, Mr. Chairman, it's truly remarkable to see the minister stand up and suggest that he needs $8 million more because of increased enrolments; which was preceded, I might add, by a publicity campaign across this province earlier this year to talk about the increased enrolments in the colleges.

I think it is patently clear to those of us who understand what's going on in the colleges just why he conducted that publicity campaign. It was conducted, I believe, not because the enrolment figures were so high, but because the colleges of applied arts and technology have turned into a revolving-door concept in post-secondary institutions; and because, indeed, of all the students who enrol in the colleges, approximately half of them do not have their needs met by the colleges.

In other words, according to the figures of the ministry itself, there is an attrition rate of an excess of 50 per cent in the colleges. The answer to the attrition rate, of 53 per cent I believe it was, is for the minister to conduct a campaign across the province indicating how great the enrolments are in the colleges.

Now I ask you, Mr. Chairman, why does he not address himself, rather than to that kind of publicity campaign—I appreciate his background in the private enterprise system is in that field—but why does he not address himself to the problems of the attrition rates and what is causing those students to drop out of the colleges?

Interjection by an hon. member.

Mr. Laughren: I must say that the behaviour of the Council of Regents has contributed absolutely nothing to the problems of the colleges, except to exacerbate them. The bargaining that has gone on in the past six months between the faculties of the colleges and the Council of Regents—or actually it's through the CSAO—has indicated that the government has indeed declared war on the public sector, and that there has been virtually no good-faith bargaining on the part of the Council of Regents to date. They have not come up with a counter offer to the CSAO in terms of salary or in terms of working conditions either. When the whole problem of faculty morale is discussed, and certainly one must discuss faculty morale if one is to consider the enrolment in the colleges, Mr. Chairman, and the attrition rates in the colleges, then surely the Council of Regents must assume some of the responsibility for the morale of the various colleges.

Why else do we see the problems that are current now in Conestoga College, for example. The minister does not seem to realize that until the colleges are governed in a more democratic fashion there will continue to be problems of morale in those colleges, there will continue to be problems of student unrest and there will continue to be attrition problems in the colleges. There is no question under the present legislation but that it is possible for faculty members and students to serve on the boards of governors of the colleges. But to this day the ministry has not put into legislation an amendment requiring this. It wouldn't require an amendment actually. They have not indicated to the Council of Regents, who then could communicate to the various boards of governors, that at least one position on the board of governors be reserved for the faculty and one for the students.

I don't know what further indication the ministry needs that the colleges are not representative of the communities they are supposed to be serving. And if you think, Mr. Chairman, that there is—

Mr. Chairman: Order, please. The member is stretching things a little too far.

Mr. Laughren: Oh, Mr. Chairman—

Mr. Chairman: Yes, you are.

Mr. Laughren: I would like then, Mr. Chairman, if the minister could indicate, if it is not the problems I am indicating that are causing the attrition rate, which has of course an enormous effect on enrolment, just what it is that is causing the problems in the colleges? I think it really is indicative that the boards of governors are not represented sufficiently by labour groups, by women, by students and by faculty.

Mr. Chairman: Order, please. Now the member has got to admit that is—

Mrs. Campbell: Once you say "women" you are dead!

Mr. Chairman: This is a general discussion which was held, or should have been held, at the earlier time. Does the hon. minister have a reply to the first part?

Hon. Mr. McNie: Mr. Chairman, I am interested in the member's comments about the expensive publicity campaign he refers to. Actually what he is talking about is a one-and-a-half page news release that went out in response to queries from the press as to what our enrolment was. With reference to the drop-outs or stop-outs, I think we indicated during the estimates debate that the rather expensive computer equipment that we had was supplying some of the answers to what was happening, but not necessarily why it was happening.

We have been trying to determine, for our own benefit as well as for the benefit of the member opposite, just what happens to these students that stop out. Now just so we make it clear what the 50 per cent comprises, it is not just at the end of the first year, maybe they don't complete a three-year course. They may well take the first year or second year, but indications are, and they vary right across the province from college to college, that from 20 to 50 per cent actually get jobs. Keeping in mind that job orientation or career orientation has been very high on the priorities as far as the community college is concerned, there is nothing wrong with this.

Mr. Laughren: The unemployment rate for graduates of the colleges is higher than the national unemployment rate.

Hon. Mr. McNie: The fact is that a great many of these students that qualify are getting jobs in the very industries in the very areas in which they were taking the courses. If there is an opening in journalism or an opening in some other area, and they have an opportunity to take it, they take it; and no one can fault them for it.

The other thing is that these figures don't show how many of these students transfer to another course. There are many students who take these courses and find the courses are not up to their expectations or they're not as interested in the courses as they thought. Frankly, I'd be the last person on earth to discourage a student from transferring to another course or to another institution. Some of them are going back to high school to get grade 13. Some of them are going to university to take a course which seems to be of more interest to them. This is part of the openness of our system that you've spoken to favourably in the past.

Mr. Laughren: But given that, you know it is still serious.

Hon. Mr. McNie: I beg your pardon?

Mr. Laughren: Given that, you know it is still serious.

Hon. Mr. McNie: As far as we're concerned we're always concerned when people drop out or stop out. I'm not so concerned when they're stopping out if in fact they're trying to get another kind of experience. Maybe, like a son of mine, they choose to stop out to get some more worldly experience than perhaps they find they can get within the institutions.

Mr. R. F. Nixon (Leader of the Opposition): What is that worldly experience stuff?

Mrs. Campbell: Can you define it?

Mr. R. F. Nixon: Don't you have a course in worldly experience?

Hon. Mr. McNie: He is living with a family in Japan right now and going to a Japanese school. For a 17-year-old that is not a bad experience.

I think the problems we're having in our institutions that you referred to are not unique this year or any year, or in any jurisdiction. I think any educational institution, particularly a post-secondary education institution worth its salt, is going to have problems, particularly if they've got—

Mr. Laughren: That kind of bargaining is unique.

Hon. Mr. McNie: As far as I'm concerned, the kind of problems they're having at Conestoga, as you referred to them, are in other areas. They're not unlike the problems that your own party, if I may suggest, had a year or so ago. They have to do with administration and with the democratic way in which an organization is run.

Mr. Laughren: Is that in order, Mr. Chairman?

Hon. Mr. McNie: I'm not unfavourably disposed, I must say, to student and faculty representation on the boards.

Mr. E. W. Martel (Sudbury East): You lay it heavy on the boards.

Mr. Laughren: The Council of Regents won't do it.

Hon. Mr. McNie: All right. We can deal with this question. I think the Council of Regents wouldn't be unamenable to addressing itself to it, too, now that there's provincial-wide bargaining, because I think it's changed the ball game as some gentlemen might say.

Mr. Chairman: Vote 2403?

Mr. Laughren: Mr. Chairman, could I ask just one question?

Mr. Chairman: One question?

Mr. J. A. Renwick (Riverdale): You shouldn't have to beg in the House to ask the minister a question, my God.

Mr. Laughren: Could I ask him a whole series of questions? Could the minister please find another job for Norm Sisco and abolish the Council of Regents? I don't want you to fire Norm; just abolish the council.

Mr. Chairman: Shall vote 2403 carry?

Vote 2403 agreed to.

Mr. Chairman: This completes the study of the supplementary estimates of the Ministry of Colleges and Universities.

Mr. Renwick: It doesn't complete them; it passes them.

SUPPLEMENTARY ESTIMATES, MINISTRY OF COMMUNITY AND SOCIAL SERVICES

On vote 2504:

Mr. Chairman: Does the minister have a brief explanation of the purpose of this money?

Hon. R. Brunelle (Minister of Community and Social Services): Yes, Mr. Chairman, if I may give a brief explanation first of the reason we are requesting approval—

Mr. Laughren: I thought the member for Timiskaming (Mr. Havrot) would like to pass this without debate. That figures.

Hon. Mr. Brunelle: —in supplementary estimates for additional funds. There are two items here. First, the grants under the Community Centres Act. In this year's estimates we had budgeted for $998,000. We are now asking for an additional $3,989,000.

Now the members may wonder why our forecasting was a little—

Mr. Martel: A little out of proportion?

Hon. Mr. Brunelle: —out of proportion.

Mr. Martel: About 400 per cent.

Hon. Mr. Brunelle: There are three main reasons, Mr. Chairman. The first reason, of course, is that this is a very popular programme and the demand for grants under this Act is increasing considerably.

As the hon. members know, these grants are for arenas, athletics fields, outdoor rinks, pools and so forth. The municipalities are responding increasingly for assistance under this Act in the face of the growing need for more recreational facilities.

Another reason, Mr. Chairman, is because, as the hon. members know, I announced in the House on March 28, 1973, our new procedure, the pre-approval system. However, there was quite a backlog of applications, mainly from municipalities, school boards and Indian bands which had made application under the former procedure. These had been submitted in good faith and so forth; they met the criteria at that time. So we just had to honour those applications. Many of the members here wrote to me and spoke to me, and I think we all agreed that this should have been done.

This required a fair amount of money; and then also, if the hon. members recall, I believe it was in March of 1972 that the Treasurer of the day, in his budget, announced that municipalities with populations of 25,000 and over, would not in the future receive assistance under this very, if I may say so, very worthwhole programme.

We found, Mr. Chairman, that to apply this ceiling of 25,000 was most difficult. It was hard to say to a municipality with, say, 26,000 population that they were not eligible, while another was with, say, 24,999. So, that ceiling was removed. As a result of the removal of that ceiling, we have, of course, received applications from those larger municipalities.

Mr. Martel: Sudbury will get its then; right?

Hon. Mr. Brunelle: We are always very partial to the north, Mr. Chairman.

So those are the reasons. Now, if you will notice, the other request is for the Ontario fitness programme—$500,000. This is to provide funds to the city of Kingston for the acquisition of a particular site. The city of Kingston will be hosting the sailing events for the 1976 Olympics; and this is to pay for that site.

It was only in the last month or two that the site was decided upon. There were many other sites that were being considered; and this site was decided upon in conjunction with the Olympic organization.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, I just want to make a brief comment with respect to this vote. This amount of $3,989,000 is certainly a very welcome amount as far as I am concerned. I happen to have a number of communities that were caught in this particular squeeze; the change from the old system to the pre-approval system.

I know that adequate notice was sent out, I believe on several occasions—certainly, at least, on two occasions—but as always happens when there is a change in programme, the clerks overlook the matter. The letters come in great abundance and I guess they are filed in file 13.

I had a number of municipalities, smaller communities, that were certainly in a real bind because they had missed the deadline of May 31. They had submitted their applications after that date, and were unable to get the grants that were normally allotted under the old system. They had met all the other conditions, but because they had missed that deadline they were out on their grants.

Now, happily, the grants are going to be paid. I can think of one community in particular where they had installed an artificial ice arena. It is a very small community. The population is only something under 100. Mind you, they draw from the rural townships surrounding the community. None the less, they had spent approximately $50,000 installing artificial ice, and they were going to be out their 25 per cent because they had missed the deadline of May 31.

So I am very pleased about this amount. I thank both the minister and the Chairman of Management Board for having the foresight to allot these extra moneys under this particular vote.

Mr. R. F. Nixon: An excellent fellow.

Mr. B. Newman: And the member for talking out for the people back there.

Mr. Gaunt: Yes, yes.

Mr. Chairman: The member for Sudbury East.

Mr. Martel: Mr. Chairman, I would like to join with my hon. friend from Huron-Bruce. I am delighted for the city of Sudbury, of course, to learn that it is now going to get some funding, which had been turned down recently in a number of letters. I am sure they are going to be absolutely delighted by the new move.

I want to, however, Mr. Chairman, in speaking on this grant item, ask the minister when he intends to introduce the proposed amendments to the Community Centres Act, which would allow for the unorganized townships. I have a copy of the proposed new Community Centres Act, which indicates that you are going to allow non-profit organizations to draw funding. I think this could be first-rate, because I happen to represent a large number of these unorganized townships and it has always posed a very serious problem, because there was no one in there to whom the money could be granted; thus, unless the school board was willing to do it in some instances, they just didn't get a community centre or an arena.

I'm absolutely delighted that the ministry has found a way of funding non-profit groups, and I hope that this legislation will come through very quickly. We realize it's a little too late for this winter, but nonetheless—

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Help it along.

Mr. Martel: Right.

The second point is I'd like to know if the minister could indicate today the type of new funding. He indicates in the proposed new item for community centres that the rates will be higher. Under the old bill, to give an example, it was 20 per cent or 25 per cent of the total cost of a building. Obviously the cost of building materials and so on has gone up and these rates are really out of date, and I wonder if the minister could indicate to us the new rates?

Hon. Mr. Brunelle: Mr. Chairman, the member for Sudbury East certainly has raised two very good points. I had indicated that I had hoped to introduce the amendments to the Community Centres Act in this current session. However, this will be done early in the new session, and we will include non-profit organizations in those areas that are unorganized.

With reference to the second point, Mr. Chairman, it is quite true as the member has mentioned, that in view of the rising cost of labour and materials, the grants will be higher. I'm not in a position at this time to say what they will be, but they definitely will be higher.

Mr. L. A. Braithwaite (Etobicoke): Mr. Chairman, I'd like to ask the minister if he could tell us about the mechanics of the payment of the various grants that are made to the various communities.

In speaking particularly about Etobicoke—and I don't have the list in front of me—no

doubt the minister is aware that the borough of Etobicoke encompasses three or four ridings or parts of ridings. I'd like to know just how the cheques for the borough of Etobicoke get to the borough of Etobicoke. I'll tell the minister why I ask: It seems that every year, when this sort of money for arenas, rinks and so on comes out, the first time that the member for a particular area in Etobicoke learns about it is when he sees a picture in the paper, and most often it is the member for Humber (Mr. Leluk), a Conservative member—

Mr. R. G. Eaton (Middlesex South): He's the representative of the government.

Mr. R. F. Nixon: I never get those cheques.

Mr. Braithwaite: —and there's a picture of him making a presentation of a fancy cheque to the Tory I defeated and who is now the mayor of Etobicoke. I know this may sound naive to the minister—

Mr. R. F. Nixon: It's dirty pool.

Mr. Braithwaite —but I have always wondered, and the people in my riding have always wondered, why the minister doesn't let the public or at least the member know when this kind of money is going to be presented so that the member at least could be there if he so wished.

Now, you send out this notice—I don't have the list in front of me; no doubt you have it there—where you say that certain moneys are going to be paid to Etobicoke—

Mr. Martel: I have never presented a cheque, I can't understand it.

Mr. Braithwaite: I sent you a letter as soon as I got the notice this year—just this week, I believe—and I asked you if you would be good enough to let me know when you are going to send out the cheque. I don't know if this is asking too much, but if you want to be really non-partisan about it, I do wonder why you don't just send the cheque in the mail to the treasurer of the borough of Etobicoke.

Mr. Gaunt: Or the member.

Mr. Braithwaite: Or the member, and let me present it. Yes, divide it into the section that applies to my riding.

Mr. Eaton: Who said he wanted to be that partisan?

Mr. Braithwaite: I don't know if this happens in any other riding—

Mr. Gaunt: All the Tory ridings.

Mr. Braithwaite: —but in any event, it seems to me that since this is the Christmas season and since we should be imbued with the spirit of fair play and so on, why doesn't the minister let some other member—I wouldn't even mind if he sent one cheque for the central part of Etobicoke to the member for York West (Mr. MacBeth) and another one to the member for Lakeshore (Mr. Lawlor) for the south area and let them make presentations also. Let us all get a little light, because believe me I think the people realize this and they wonder how come the member for Humber is always making the presentation of fancy cheques from this government to Mayor Flynn. People ask: "Well, I wonder if those two people are New Democrats?" Could the minister comment on that?

Hon. Mr. Winkler: Oh no, that's a way off the vote.

Mr. Chairman: That's certainly not to the supplementary estimates.

Hon. Mr. Brunelle: The hon. member makes a good point.

Interjections by hon. members.

Mr. Braithwaite: Is that all the hon. minister has to say? Can I get some sort of commitment from the minister?

Oh, you guys laugh, but believe me after the next election we won't play dirty tricks like that. Of course, the member for Brant (Mr. R. F. Nixon) wouldn't do that now, would he?

Mr. Eaton: You won't have a chance to, so what are you worrying about?

Mr. Braithwaite: We will, we will. But I'm wondering if the minister would reply to the letter that I sent him.

Hon. Mr. Brunelle: I haven't seen his letter, but I would be pleased to. I always do my best to reply to the hon. member for Etobicoke.

Mr. Braithwaite: After the cheque has been presented. Yes?

Mr. Chairman: Vote 2504. The member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I wanted to make a few comments on this vote, seeing it is in relation to sports and recreation—

Mr. Chairman: Just on the extra money, though, I might point out.

Mr. B. Newman: —and having a background in that field, quite a successful background, I want to compliment the minister first on the $500,000 that he is going to be giving to the city of Kingston in the attempt to promote the Olympic games. As one who has coached teams in Olympic competition I can let you know, Mr. Minister, that we should be doing everything we can for the 1976 Olympic games, to show to the world that we in Canada can rank with the best, if we have the equipment and the facilities available in our country so that our athletes can perform at the peak of their capabilities.

I was wondering also, Mr. Minister, on the first item—that is, grants under the Community Centres Act—if your ministry considers in the constructing of community centres that they should possibly be attached to schools in many instances, rather than being put out separately. If the community centre were attached to the school or were an adjunct of the school then it could not only be used by the community in the evening hours and the daytime hours, but it could also get additional use by the students in the schools.

To me it seems folly to be building a community centre, as they do in some cities, three or four blocks away from the school. The school is generally in a more travelled area—or in a lot of communities, the built-up communities, it is along a more travelled area. It is more readily accessible than are some of the community centres which are constructed.

I speak from experience, Mr. Minister, having gone through this in my own community, where the centre was built in a certain location simply because a service organization had its name on that location and wanted the community centre there. Mind you, the service organization does a good job; everything it does for the community is appreciated. But I really think, Mr. Minister, it would serve a better purpose in many instances—not in all instances whatsoever, but in many instances—if it were a part of the school, rather than being a separate—Yes, Mr. Minister? I beg your pardon?

Hon. T. L. Wells (Minister of Education): There is one place in Windsor where that has been done; a separate school.

Mr. B. Newman: Yes, but I can tell you there's one 1,000 ft away from my home where it is not being done, and that's why I speak of it. I think where it is being done with the separate school, and what was done with the Holy Rosary School I think was right. That's the approach that should be used wherever possible in providing indoor recreational facilities.

But the other community centre that I am referring to, Mr. Minister, is put in a location where the people don't even want it. Council in their wisdom decided to put it there, so you have to accept it there. But it could have been attached to a school in the neighbourhood and served two purposes rather than the one purpose that it will serve in its present location.

I wanted to ask of the minister, also, if the ministry is going to make the wearing of headgear compulsory in boxing matches. Not too long ago I noticed a picture in the press where two 10 and 12-year-old athletes were slugging it out, one with the other. Mind you, they do have big pillows for boxing gloves. Still we shouldn't allow amateur boxing in our province without the wearing of headgear on the part of our amateurs.

If the pros want to knock their brains out in providing entertainment to the public, let them go right ahead and do that; but our amateurs, our students, should be protected to the maximum that we can protect them, and we can protect them by making wearing of headgear compulsory.

Hon. Mr. Brunelle: Mr. Chairman, I think the member's first point is a very good one. We are entirely in agreement that the facilities at the schools should be used at a maximum. The Minister of Education tells me that existing legislation does permit this and that there are agreements between municipalities and school boards. As the hon. member knows, the select committee studying the uses of facilities has also made that recommendation.

With reference to headgear, I know the hon. member has spoken to me and has also spoken in the House about the wearing of helmets to protect the boxers. It is a matter that we certainly are considering. We have an open mind on these things and we want to give the best safety protection to our youngsters as possible.

Mr. B. Newman: You should not allow boxing, then, without their use.

Mr. Chairman: Does vote 2504 carry?

Mr. J. E. Stokes (Thunder Bay): No, I would be remiss, Mr. Chairman, if I let this amount of money go by without saying something about the inadequacy of the present Act to serve most northern communities in Ontario where they don't have an

adequate tax base to provide recreational outlets for many of the people who, for whatever reason, live in northern communities. In particular, I would like to draw the minister's attention to the plight of communities like Marathon.

I have had considerable dialogue with Mr. Baker, your man in charge of the application and implementation of the Community Centres Act. They are aspiring to a centre that will meet the total recreational needs, summer and winter, of a community of 2,600 to 2,700, as well as serving the entire area—they take in a good many of the unorganized communities on the outskirts of Marathon, including an Indian reserve.

We all know that small communities singly can't aspire to all of the recreational amenities that many people have come to expect in this day and age, but it seems to me that it should be possible through meaningful assistance through the Community Centres Act, to provide a much better facility for year-round recreational pursuits. The terms of the present Act are so restrictive that if you even mention that it may at some time during the year be used as a curling rink, for instance—and let's face it this is one of the most popular winter sports in Ontario—

Mr. R. F. Nixon: What is the most popular one?

Mr. Stokes: I will leave that to your—

Mr. J. F. Foulds (Port Arthur): To your fertile imagination.

Mr. Stokes: You people down around Brantford, where you don't have too many outlets, might engage in other indoor winter recreational activities.

Interjection by an hon. member.

Mr. Stokes: I would like to address myself to the needs of the people of the north in strictly conventional recreational pursuits.

Mr. R. F. Nixon: What kind of a suggestion is that?

Mr. Stokes: I am thinking in terms of a general complex where they could even have basketball, or where they could have badminton, where they could have tennis and in the wintertime even use it as a curling rink. Because of the restrictiveness of the present Act, we have had extreme difficulty in getting approval for many of the grants for which we have made application. As the minister well knows, if you are going to go into this kind of facility, it's impossible for them to embark on such an ambitious undertaking when the maximum grant under the Community Centres Act is 25 per cent or $25,000, depending on which is the lesser.

I understand through people in the ministry that you are actively reviewing the present Act and that you will be coming up with terms of reference and regulations that will broaden the application of the Act, the provisions of which I hope will be much more generous. In that way people in the north too, while they can't aspire to huge art centres and science centres and Ontario Places, it doesn't mean to say they are any less entitled to the recreation pursuits that everybody in Ontario aspires to. This, I think, is the vehicle whereby you can assist many communities in the north, including Indian reserves. Coming from the north yourself, Mr. Minister, where you deal with far-flung, small, remote communities which have no community of interest with another community that is situated 100 to 150 miles away, you know it's almost impossible for them to co-ordinate their sports activities and effect some economies of scale.

So when you are bringing in amendments to the present Act, and regulations associated with it, I hope you will apply your own situation to the Act. If you do that I think you will meet most of the needs of all of the communities in northern Ontario—

Mr. Foulds: A sauna in every room.

Mr. Stokes: —and come up with one that is much more meaningful and much more helpful than the present one is.

I think that it will be money well spent, because if you read the recommendations of the select committee on the use of school facilities you will find that a good many of the recommendations in there will be of use to you when you are drafting amendments to the present Act. With people everywhere in the province having much more leisure time, if we are going to relieve some of the social problems that are associated with leisure time and direct the activities of people to much more wholesome and much more meaningful pursuits than drinking and the use of drugs, I think that this is one of the ways in which you can do it, by involving the total community, whatever their pursuits are, in a community centre that is going to assist these small communities in making good, wholesome use of their leisure time.

It will be money well spent, and it will save us a lot of dollars in rehabilitating

people who, for whatever reason, get themselves into trouble and all of the related social problems that are created when people have a lot of time on their hands and don't know what to do with it.

I just wanted to take advantage of this opportunity, Mr. Chairman, to say that and I hope the minister will take this into account when he brings in the new Act.

Hon. Mr. Brunelle: Mr. Chairman, the points raised by the hon. members are certainly very valid. We definitely will be broadening our Act to include curling and other activities that are not included, and also raising our grants.

Mr. Chairman: Vote 2504. Carried?

Mrs. Campbell: Mr. Chairman, I regret that once more I feel it incumbent upon me to speak on the matter of the grants through the Community Centres Act. I wonder if the minister can advise me as to what he can do to ensure that when grants are made for this purpose the facilities are then available to all, and not just to a limited number of people in a community. I am referring, in the first instance of course, to arenas, where we know that they seem to tend to be used almost exclusively for such things as hockey, for example. I don't know of anything in the legislation that gives this province any opportunity to exercise some sort of, well, I won't say pressure, but some sort of advice—

Mr. Foulds: Pressure.

Mrs. Campbell: —on the necessity to see that these are made available for everyone and are not just exclusively for people who wish to play hockey, for example. Could the minister answer that?

Hon. Mr. Brunelle: Mr. Chairman, I certainly agree with the hon. member for St. George that the facilities should be used by as large a group as possible. I'm not sure what we could do in this area, because as you know the grants are given to the municipalities or the school boards or the Indian bands. However, the area of recreation today is becoming more and more important and we will be announcing also, sometime in the future, as a result of these lottery sales, increased assistance to recreational groups and so forth. Also, maybe we should be considering the points you have raised, to try to make those facilities available to more and more people and not just the hockey players in the case of areas. It is a very good point.

Mrs. Campbell: Thank you.

Mr. B. Gilbertson (Algoma): Mr. Minister, I'd like to make some remarks on this.

Mr. Chairman: Bear in mind that remarks are supposed to be on the supplementary estimates and not general remarks. If we have general remarks which are very brief, we would listen for a minute.

Mr. Gilbertson: This pertains, I think, to supplementary estimates. I was interested in what the hon. member for Thunder Bay mentioned about recreation facilities for the north. I have a specific, in fact there are two areas which have been anticipating trying to build community centres or arenas. I remember that about five years ago there was legislation whereby various municipalities, say there were several acting together, could group their projects. Is this still in effect?

Hon. Mr. Brunelle: Yes, it is, Mr. Chairman.

Mr. Gilbertson: I know there are about five municipalities which have been considering grouping their funds from this particular grant so that perhaps they could build a central arena. I am pleased to know that this is still in effect.

Another thing I would like to bring up is that north of Sault Ste. Marie there is quite a population in unorganized territory. There is quite a large population and they haven't any type of recreational facility whatsoever, except perhaps in the public school they may have a gymnasium which can be utilized. They would like to have some type of an arena. I know the minister has already been approached about this north of Sault Ste. Marie, at least his department has through the Ministry of Education. I would hope that there can be provisions made in the future to help out an area such as this.

Mr. J. Root (Wellington-Dufferin): Mr. Chairman, I have one or two brief comments.

Mr. Chairman: Order, please. I am trying to point out to the hon. members that this is not a time for general comments. That time has passed. If the member has a brief one we will allow it.

Mr. Root: I want to say that I support the increases in grants for community centres. The Community Centres Act, as everyone knows, was introduced by this government—by this party, I should say—I was in the House at the time. It has played a very important part in developing recreational facilities throughout rural Ontario. My riding

is rural and we do appreciate the fact that more money is going to be provided for this programme.

I would like to say to the hon. member for Etobicoke that in the 22 years I have been here I have only presented one cheque. The cheques are generallly mailed to the clerks and people have accepted that. It hasn't affected me in any way.

Vote 2504 agreed to.

Mr. Chairman: This completes the study of the supplementary estimates of the Ministry of Community and Social Services.

SUPPLEMENTARY ESTIMATES, MINISTRY OF EDUCATION

On vote 2601:

Mr. Chairman: Perhaps the hon. minister would enlighten us as to exactly what these moneys are for.

Hon. Mr. Wells: Mr. Chairman, this is a very simple matter. This is the extra money required to pay the escalation of four per cent and two per cent instituted a short while ago for all those who are on pension under the teachers' superannuation fund.

Mr. Chairman: Any comment on this item?

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, on this vote it is certainly encouraging to see that changes have been made in the teachers' superannuation fund. There are some of us on this side of the House who would have preferred larger amounts, of course, but at least there has been some adjustment made in order that those teachers who retired in 1971 or prior are able to have some development on the pensions which they have been receiving.

We will certainly support this estimate.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I think that every member in the House agrees with the position taken by the minister. Where we sort of disagree is that we think the two per cent is not only not enough but that the minister should have a policy for increasing the amount so that it is equivalent to the cost-of-living increase.

We hope that we don't have to wait until next year to find a similar two per cent increase included in the minister's estimates. We would prefer to have the minister follow what has been set down by the federal government, and build in a cost-of-living factor or index on the teachers' superannuation so that they receive constant dollars in their superannuation moneys.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds: As a possibly retired teacher in 1971, I rise with some trepidation, Mr. Chairman, but I would like to speak very briefly on this item.

We in this party are pleased that the government has moved this much. We would, however, like to see if some method of regularizing this kind of addition could not be found. There are three or four brief suggestions that I have. I don't pretend to be an accountant or to understand the complexity of the mathematical formulas that are worked out with regard to pensions; I barely understand my own. It took me six months to work out with the Teachers' Superannuation Commission the contribution I should be making as a member to keep up my funding in the teachers' superannuation fund, just in case my career in this Legislature and this occupation doesn't last that long.

Mr. Laughren: Oh, it will last longer than that of the member for Wellington-Dufferin.

Mr. Foulds: God forbid. But there are some ideas that I think have been embodied in the present OMERS legislation that perhaps should be looked at in terms of the teachers' superannuation fund. There is the possibility of making the fund more actuarially sound by having the government's contribution put in at the same time that the contribution from the teachers goes in, so that the increased interest on the bonds would help bolster up the fund. I know that the dollars come ultimately from the same source anyway, but it would make the fund itself more substantially sound.

Instead of giving this minimal kind of percentage increase from time to time, as is obviously going to happen, being as we are in a period of escalating costs, we would like to see it become regularized on a percentage basis annually so we don't have to go through this method of discussing the special amount that is put in as a lump sum in supplementary estimates or in your regular administration estimates from time to time. I think the two members who have spoken previously have said that we should tie that annual escalation to a cost-price index clause, so that those on

basic incomes can at least keep abreast of the cost of living.

Finally I guess what I am trying to say is that we should try to remove the teachers' superannuation fund from this constant, ad hoc, sort of paternalistic method of making adjustments. Because you know what happens, Mr. Chairman. Every once in a while one of the local crusading papers which feels the teachers are a prime target at the present time will headline a story which is completely misleading about how the provincial government has to bolster up their sagging fund, when in fact it is simply that the government hasn't put in its regular contribution at the time that the teachers have.

You might also look at, as well as looking at some of the adjustments that were made with regard to the OMERS Act, the possibility of introducing a regular supplementary retirement benefit fund for retired teachers.

And I'd like to conclude, Mr. Chairman, with a question or two to the minister. How many teachers do we have who are at the lowest basic pension, which is, I believe—what, $2,100?

Hon. Mr. Wells: It is $2,184.

Mr. Foulds: It's $2,184? Well, I was pretty close for a non-mathematician.

How many teachers at that sum have been involved in teaching as a full-time career—that is they have—what is it called?—an A pension? And how many of those at that low $2,184 figure are on partial pension? They go down to F, I understand.

Do you have that information available? If you don't have it available at the present time, I'll not take the time of the House, but perhaps you could either table it, or send it to me and we could make it public. Thank you, Mr. Chairman.

Mr. Chairman: Any further questions or comments?

Shall the item carry?

Mr. Foulds: Well, I think the minister would like to reply.

Hon. Mr. Wells: I will answer the question. There are 675 teachers at the minimum —the $2,184. Of that, 266 have A pensions; 524, B pensions; 358, C-B pensions; 244, C pensions; and 282, type F pensions; for a total of 1,675.

I'd just like to add, Mr. Chairman, that while this isn't the place to get into a discussion about the complete philosophy of the teachers' superannuation fund, I think if my friend studies the way the fund operates, the government contribution is put in at the same time as the teachers' contribution—

Mr. Foulds: No, it goes in yearly.

Hon. Mr. Wells: It goes in yearly? Well, that's—

Mr. Foulds: But the teachers' goes in monthly.

Hon. Mr. Wells: All right. I just point out though that the fund is not actuarially sound. There is about a $300 million deficit and the government puts in an amount of money that we vote each year that makes it actuarially sound. If the fund was to be set free and made actuarially sound, somebody would have to put in the $300 million to begin with. There is more to it than just straight comparing it with the OMERS fund. It's a much more complicated situation than that and you just can't simplify it. But I think we did talk about that a bit during my estimates.

The other thing I would say, of course, Mr. Chairman, is that when we announced these escalation changes, part of the announcement was that this was being done because a study committee is still working on the matter of building in an escalation. That committee is at work and it's looking at both the teachers' superannuation fund and the Province of Ontario pension fund. The committee will be reporting in the next spring or summer.

Hon. Mr. Winkler: We'll make it all right.

Mr. Foulds: Just one further comment in response to the minister's response. Perhaps a look could also then be taken at the possibility that all those teachers on A pensions, at least, could have their pensions increased, as a base, up to $5,000. You know, if they have taught for that length of time and they have devoted their lives to the teaching profession, I think we should get them above the poverty level.

Mr. Chairman: Shall the vote carry?

Vote 2601 agreed to.

Mr. Chairman: That completes the supplementary estimates of the Ministry of Education.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of supply reports certain resolutions.

Report agreed to.

Clerk of the House: The chairman of the committee of supply reports the following resolutions:

RESOLVED: That supply in the following supplementary amounts and to defray the expenses of the government ministries named be granted to Her Majesty for the fiscal year ending March 31, 1974:

(See Appendix, page 6832)

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I think that we could dispense with the reading of this resolution as the matters have all been dealt with and are fresh in the members' minds.

Resolution concurred in.

MUNICIPALITY OF METROPOLITAN TORONTO ACT

Mr. Meen, in the absence of Mr. White, moves second reading of Bill 267, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Speaker: The member for Riverdale.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, I would suggest that the bill go immediately into committee because it deals with a number of miscellaneous matters and I would think it could be dealt with most expeditiously that way.

Hon. E. A. Winkler: (Chairman, Management Board of Cabinet): I am just wondering, in the event there are other bills to go to committee, if we could deal with a couple of others first, and I'll move into committee directly with them.

Mr. Speaker: The motion then is for second reading of Bill 267. Shall this motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand it is to go to committee of the whole House.

Agreed.

REGIONAL MUNICIPALITY OF DURHAM

Mr. Irvine, in the absence of Mr. White, moves second reading of Bill 273, An Act to amend the Regional Municipality of Durham Act, 1973.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I would suggest that this bill could be dealt with in the same fashion because there may be a few comments to be made. There are really no principles as such, that need be spoken to, and I would suggest we could possibly send it to committee.

If there are no other comments to be made, it may be that the bill could be directed to third reading.

Mr. Speaker: The member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, as far as I am concerned, it doesn't have to go into committee.

Mr. Renwick: Mr. Speaker, as the point of this bill has been dealt with in the bills related to other regional municipalities, it would be my view that there isn't anything which can be usefully added to the debate. We approve of the bill, and there is no need, from our point of view, that it go to committee.

Mr. Speaker: The motion is now for second reading of Bill 273. Shall this motion carry?

Motion agreed to: second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Clerk of the House: The 14th order, House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO ACT

House in committee on Bill 267, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Chairman: Anything before section 9 of this bill? The member for Riverdale.

Mr. J. A. Renwick (Riverdale): Mr. Chairman, I think it would be helpful to all of

the members if, in the appropriate grouping of the sections, the minister comments on each section and indicates where the initiative came for the proposed amendment and the reasons for it in some enlargement of what is stated in the explanatory note. Therefore I would ask, Mr. Chairman, that the minister elaborate on the initiative which led to the proposal set out in section 1 of the bill.

Mr. A. K. Meen (York East): I would be happy to do so, Mr. Chairman.

In section 1 there have been some problems on some Metro roads with respect to appropriate licensing. This section permits Metropolitan Toronto to authorize any of the local municipalities with respect to Metro roads to license on those roads as though they were local roads.

Presently, if the hon. members are aware of section 79 in the Metro Act, Metro can do certain of these things directly, but Metro is not really geared up to handle this kind of licensing direct, and it seems more appropriate to make an amendment. I might indicate that this initiative, like virtually all of the others, has come from Metro.

Section 79 says:

> With respect to metropolitan roads, the metropolitan corporation has all the powers conferred, and is subject to all the liabilities imposed, upon the council or corporation of the city under the Municipal Act [and so on].

It seems more appropriate that licensing of, let's say, sidewalk vendors and this kind of thing would be more appropriate at the municipal level. So the thought here is that Metro would be able to delegate to the area municipalities this authority to license for all purposes.

Section 84 of the Metro Act is limited, as it presently stands. Hence this amendment goes to an amendment of section 84. Section 84 presently reads:

> The metropolitan council may by bylaw empower the council of an area municipality to lease or license the use of untravelled portions of metropolitan roads within the area municipality to the owners or occupants of adjoining property that is lawfully used for use for commercial or industrial purposes to be used solely for parking of vehicles.

That's the limitation imposed under section 84, and it seemed appropriate to extend that in the fashion of the amendment proposed under section 1 of the bill.

Mr. Chairman: Are there any further questions or comments up to section 9?

Mr. Renwick: Section 2 of the bill is self-explanatory.

On section 3 of the bill, what is the reason for removing that particular requirement for eligibility as a member of the transit commission?

Mr. Meen: One of the restrictions on being a member of the transit commission presently, as hon. members know, is that one has to be a ratepayer as well as a resident. It just doesn't seem consistent with our present philosophies of the landed gentry being a taxpayer as well; and we felt that as long as one were a resident it was sufficient within that context of qualification. So we removed the requirement that he be a ratepayer.

Mr. Renwick: Is there any obligation that he use the public transit system?

Mr. Chairman: Are there any further comments or questions up to section 9?

Mr. Renwick: Mr. Chairman, I would ask a further explanation on section 4 of the bill.

Mr. Meen: Section 4 is supplementary to the amendment made in the spring at the time when the West Hill section of Pickering was brought into Scarborough as part of Metropolitan Toronto, Mr. Chairman.

And these sections (1b) through (1f) are the fiscal sections, you might say, dealing with transitional impact of assessment and the like—liabilities, for example—and as that's relatable to that portion of Pickering coming into Scarborough, stay with those particular ratepayers. They would not be assumed by the whole of Scarborough any more than the ratepayers of any other area in amalgamations which we've had in the past. These are rather complicated fiscal sections but, in brief, Mr. Chairman, that's what these subsections in 4 cover.

Mr. Renwick: I take it that both the council of the borough of Scarborough and the Metropolitan Toronto council are in agreement with the procedures that are outlined, which give this authority to the minister to carry out this adjustment?

Mr. Meen: Oh, I'm sure that that's the case, Mr. Chairman.

Mr. Renwick: You are sure, but do you know?

Mr. Meen: No, but I'm advised that there is concurrence.

Mr. Renwick: Thank you.

Mr. Chairman: Are there any further comments or questions up to section 9?

Mrs. M. Campbell (St. George): Section 8, Mr. Chairman.

Mr. Chairman: Section 8. The member for St. George.

Mrs. Campbell: Yes, I am aware of the explanation here, and I have—

Mr. Renwick: May I, on section 7?

Mrs. Campbell: Certainly.

On section 7:

Mr. Renwick: What is the extent of this grant that is made in section 7 with respect to aiding individuals in cases of a common disaster?

Mr. Meen: Paragraph 46 in the Municipal Act gives municipalities now this power to grant aid in the case of a common disaster. What we're doing here is importing this provision into the general authority given to Metropolitan Toronto, Mr. Chairman.

I might mention to the hon. member for Riverdale that this is an amendment we have brought in in all our other regional bills in the last few months. In our new regional bills this year, and in the amendments to the regional bills which I've had before the House in the last few weeks, this is the same amendment.

Mr. Chairman: The member for St. George on section 8.

On section 8:

Mrs. Campbell: Yes, Mr. Chairman. Looking at this it seems to be reasonable, vis-à-vis the metropolitan corporation and the borough of Scarborough, in view of the fact, as I understand it, Scarborough is now being required to enlarge its sanitary sewer in order to receive disposal of sewage from the town of Markham.

It does bother me somewhat, however, that the municipalities such as Metro, or any others, should be involved in this sort of disposition. Why shouldn't it be a provincial obligation that they start getting into the servicing field rather than laying the onus on local area municipalities to carry such sewage from other towns?

Mr. Meen: That is an interesting observation, but at the present time what Metro is doing is looking to the future, and I think very wisely so, in determining that some day in the future—by the agreements which they are working out with York region to the north, and presumably from time to time they will have not-dissimilar types of agreements with municipalities to the east and west—they will be the authors of their own course of action and hopefully the masters of their own households.

In this instance we are saying to them, "Look, we realize you are looking to the future and some day it may be incumbent on you to continue this kind of negotiation with your brethren to the north, in York region." In fact, I welcome and I congratulate them on this far-sighted approach in looking at a local sewer line which some day might be appropriate to carry sewage from the municipality to the north, an area presently unserviced, that they will oversize and be prepared to contribute to Scarborough's costs to the extent of that oversizing.

Mrs. Campbell: Mr. Chairman, I, too, would add my note of congratulation to Metro for being far-sighted. I am also aware of the fact that for years development in this particular area was rather stymied because of lack of provincial co-operation at a time when both the town and Metro wanted to move for assistance in some of the relief from the Toronto area.

It just seems to me, however, as I have pointed out to the parliamentary assistant before, and I will say it again, that the metropolitan corporation seems to be far more far-sighted and far more concerned than does the provincial government in these areas.

Mr. Chairman: Any other comments or questions up to section 9?

On section 9.

Mr. Renwick: Mr. Chairman, on section 9, we discussed this last night when the supplementary estimates of the Minister of Natural Resources (Mr. Bernier)—

Mr. Chairman: Order, please. I should say Mr. Meen does have an amendment on section 9, if we may hear it now, please?

Mr. Renwick: I have one too.

Mr. Chairman: Mr. Meen, will you proceed?

Mr. Meen: Certainly I would be prepared, without foreclosing the hon. member for Riverdale, to introduce my motion and we can discuss the two.

Mr. Meen moves that section 9 of the bill be amended by striking out "may issue debentures" in the fourth line and inserting in lieu thereof "debentures may be issued."

Mr. Chairman: Those in favour of this amendment? May we have an explanation—

Mr. Meen: Would the members care for an explanation of the amendment?

In the present form, that is, as the section reads, it would indicate that Scarborough would be authorized to issue the debentures when in fact debentures are issued by Metropolitan Toronto, and so we have had to invert the phraseology.

Mr. Chairman: Shall this amendment carry?

Carried.

Mr. Chairman: The member for Riverdale.

Mr. Renwick: Mr. Chairman, I notice that this particular clause of the bill, while it is in the Metropolitan Toronto bill, is actually a grant of authority to the council of the corporation of the borough of Scarborough with respect to a grant which it made. Consistent with that use of the Metropolitan Toronto bill, and in order to facilitate a request by the corporation of the city of Toronto, I would like to move an amendment.

Mr. Renwick moves that that portion of section 9 which now appears in the bill be designated (a), and that the following clause be introduced, as an amendment, as clause (b), "that the council of the corporation of the city of Toronto may establish a non-profit housing corporation, the shares of which would be wholly owned by the corporation within the meaning of section 15(1) 1 (c) of the National Housing Act."

Mr. Renwick: I would like to speak to the matter if I may.

Mr. Chairman, the reason I make this request is that on at least two occasions in the assembly the matter has been raised about the urgency of permitting the council of the corporation of the city of Toronto to create such a non-profit housing corporation and to have it wholly owned.

There was some indication, when the matter was addressed to the Premier (Mr. Davis), that the matter would be considered and some decision would be made at this session. I refer specifically to a minute of the city of Toronto executive committee, Report No. 53, and I would like to simply quote it:

> It is the opinion of the city solicitor [Mr. Callow] that under existing legislation the city has no authority to incorporate such a corporation—

That is, a non-profit housing corporation as contemplated in section 15 of the National Housing Act.

> His opinion is that
>
> . . . under existing legislation the city has no authority to incorporate such a corporation nor the power to own all of its shares. The only immediate housing possibility could be the Toronto Housing Authority, but this vehicle would have to be considered appropriate by officials of Central Mortgage and Housing Corp. The project team, as indicated in the Dundas-Sherbourne progress report, believes that a city non-profit corporation would be the most beneficial vehicle through which to develop the site, having regard for the necessity to expeditiously develop that area.

The recommendation went forward to the city council that it request the provincial government to pass legislation as soon as possible enabling municipalities to set up non-profit housing corporations, the shares of which could be owned by the municipal corporation.

Then there was further advice by the city solicitor that Central Mortgage and Housing does not consider the Toronto Housing Authority to be an appropriate vehicle for funding under the recent amendments to the National Housing Act and the Toronto executive committee recommended that the city solicitor be authorized "to make application for legislation as set out in the foregoing." It went on to say that the executive committee had requested the mayor to raise the matter with the appropriate officials of the provincial government. Simply following along on that, the matter was raised by Mayor Crombie of the city of Toronto with the appropriate provincial officials, and I cannot understand why it is not intended to grant that authority at the present session of the Legislature so that the city of Toronto can get on with at least one aspect of providing

for the urgent requirements with respect to housing.

In addition, the minister will be well aware that in the city of Toronto a housing report was issued recently which again emphasizes and indicates quite clearly the continuing urgent demand this type of facility being made available to the city of Toronto for housing reasons. I would urge the parliamentary assistant, and the minister since he is now in the House, to consider including in this bill that authorization for the council of the corporation of the city of Toronto.

Mr. Meen: Mr. Chairman, the city of Toronto has been in touch with us on this matter. We have some grave misgivings as to whether the amendment—and I think they are right, that the authority doesn't presently reside with them—but we have some grave misgivings as to whether the amendment would properly be in the Municipality of Metropolitan Toronto Act or whether it would be in a special Act. In any event, it's properly under the Ministry of Housing.

I am advised that this is being actively investigated, and that we can expect some sort of action to be taken in the not distant future. Further, I am advised that OHC and the mechanics of OHC can be used by the city at the present time until we can get the matter resolved as to the way in which it should be handled by statutory provisions.

Accordingly, although the government is sympathetic to this whole position, I think we would have to say that we don't feel it appropriate to accept the amendment to the bill at this time.

Mr. Chairman: The member for Scarborough West.

Mr. S. Lewis (Scarborough West): What mechanics of OHC can be used, since OHC has categorically refused to participate in this development using a non-profit housing corporation as a vehicle until there is legislative sanction for it?

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Since that advice sprang from me perhaps I should attempt to reply to it. This morning a question was put to the Premier, perhaps by the hon. member, and at that time we were a little uncertain about it. When the Minister of Housing (Mr. Welch) took his seat here, he informed us that he had been in touch with the city and he thought the city solicitor was correct. They are meeting again, I think today, to see how the matter might be remedied and in the meantime he said he thought the OHC could be used to carry the project forward. I'm sorry that's all I know about it.

The Minister of Housing, however, could be asked to come and comment if you wish or perhaps he could be asked on Monday.

Mr. Lewis: I think I understand. I think that means that the Minister of Housing can authorize OHC to proceed with interim financing until such time as you give statutory approval. That would certainly be reasonable, if that's possible.

Mr. Renwick: At least it would be satisfactory.

Mr. Lewis: Yes.

Mr. Renwick: Mr. Chairman, in the light of the explanation given I feel we've fulfilled our function and I will not ask that the amendment be put.

Mr. Chairman: This motion has been withdrawn; agreed? Are there any further comments or questions on any further section of this bill?

Bill 267, as amended, reported.

Mr. Renwick: Mr. Chairman, before the committee rises and I know this is out of order, would the parliamentary assistant mind explaining why section—no, I don't need to ask the question, thank you.

Interjection by an hon. member.

Mr. Renwick: I am glad to see you are here.

Mr. V. M. Singer (Downsview): Wouldn't miss you for the world.

Mr. Renwick: You have come for the weekend adjournment.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports one bill with certain amendments.

Report agreed to.

REGIONAL MUNICIPAL GRANTS ACT

Hon. Mr. White moves second reading of Bill 244, An Act to amend the Regional Municipal Grants Act.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, the principle of the bill is to allow the minister to determine the population in area municipalities so that a more accurate estimate of population can be ascertained for the granting of grants under the Regional Municipal Grants Act. When one considers the grants from the province made on a per capita basis—$8 general grant; $3.25 if there is a regional police grant; $1.75 if there is not a regional police force and the density grant which could add up to $5—it is very important that there be an accurate estimate of the population under the area government. I see the minister shaking his head; am I talking about the wrong bill, Mr. Speaker?

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): No, those amounts have gone up. The police grant, so-called, has gone up to $5.25.

Mr. Good: I'm sorry; $5.25 for the police grants. The minister is correct. The police grant has gone up. That makes my point even more important. The grant coming to the area government is a considerable grant from the province therefore it is very important that there be an accurate estimation of the population. Previously, the grants were always tied to the last DBS — Dominion Bureau of Statistics — population amount; and this could be pretty old. And this was only if there was a deviation of more than a seven per cent increase in population. Unless that could be proven, there would not be an adjustment in the population figures.

I think a year or two ago, if my memory serves me right, the borough of North York had quite a considerable adjustment in its grants because of an adjustment in population. Its population has grown tremendously in the last couple of years, but under the legislation at that time there was no provision for any adjustment in the population.

So, I'm glad to see this amendment and it should bring the grants more in line with the actual population, which is very important in municipalities where there is tremendous growth. If these population figures can be adjusted more accurately as the growth increases, and we don't have to wait for a complete seven per cent increase to get an adjustment, it will make the grant much more equitable. We support the bill, Mr. Speaker.

Mr. Speaker: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, we also support the bill. I am not exactly clear what the minister envisages is going to be occurring in the near future with regard to the annexations and amalgamations, but nevertheless the provisions will allow for the redetermination of population. It is obviously necessary and it can be a detrimental effect on other municipalities who are losing population in the area. There is no point in delaying it. I think that it's a worthwhile amendment; so if the minister has something in mind at the moment that he intends to apply it to, I would be interested to know what it is.

Mr. Speaker: Any other discussion on the bill? The hon. minister.

Hon. Mr. White: No, there was no deep-seated motivation. The municipalities themselves have complained about this seven per cent constraint. It didn't make any sense to me. I suppose the original reason may have been to deter large numbers of such requests for recalculation. But whatever the reason may have been, it seems to me to be unnecessary and unsuitable now. And that's the reason we are making the changes shown in this bill here today.

Mr. Speaker: The motion is for second reading of Bill 244. Shall the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

WORKMEN'S COMPENSATION BOARD ACT

Hon. Mr. Guindon moves second reading of Bill 269, An Act to amend the Workmen's Compensation Board Act.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker, my remarks will be brief. This is a consolidation of some of the things the minister (Mr. Guindon) has been indicating over the last few months, based as well on some of the recommendations of his task force. We, on this side, have a few concerns about this bill, and I would like

to put a number of questions to the minister.

First of all, I would like to say that we are rather upset in the manner in which this bill has been brought in. We feel that there should be time for this bill to go before a standing committee so that the public at large, organized and unorganized labour—

Mr. Deans: It is going to be.

Mr. Reid: I am sorry, I didn't realize it. So we will have this on Monday? Will it be in standing committee on Monday then?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Yes.

Mr. Reid: All right. I am sorry. I wasn't aware of it. It still doesn't give us much time, in any case; but we are happy to hear that.

There have been a number of questions raised. Quite frankly, going through the bill, I am just a little confused, particularly about the appeal procedure. While much of the bill that we have before us is a repeat of the original bill from the statutes of 1970, I have had a number of people contact me in regard to the "no appeal." This particularly was the case among some businesses and corporations, who feel that there won't be any appeal to a new assessment of their firms that might be made by the Workmen's Compensation Board. They feel they won't have an opportunity to appear before the board to explain that they are in fact going to do something about their safety procedures and outline their programmes; that they could not have a chance to put their case before the board.

Now, as I say, I am a little confused, because reading through the bill, I don't see that. It seems to me those concerns may be legitimate. The minister shakes his head so I gather that in fact the old method of approaching the assessment business in that regard will be maintained and they will in fact have their day in court—is this correct?

One other thing, Mr. Speaker, that we are concerned about, and we raised this in the last bill that we had before us this year regarding workmen's compensation. This was the fact that there is no escalator clause built into the pensions. Now, the government has seen fit to increase the pensions to $250 a month and also has seen fit in this bill to allow it to be paid to the widower of a working woman. This is all fine and good, but I don't want to reiterate the arguments that we have put in the other amended bill for the Workmen's Compensation Board. We do feel that these pensions should have an escalator clause built in so that people will be protected from the ravages of inflation which, to a large extent, are perpetrated by this and other government levels.

Again, I would ask the minister to give consideration to putting an escalator clause in here. These people because of an accident, through no fault of their own, are forced to live on a pension all their lives—not just when they reach retirement age. Practically at any point in their working career an accident may occur, and they are going to be forced to live on a pittance, compared with what their earning capacity might otherwise have been. The yearly erosion of their purchasing power through inflation reduces the amount they have to spend; and particularly because this government acts so slowly in increasing the benefits, by the time it gets around to this, their purchasing power could be eroded by up to almost 25 per cent.

Mr. Speaker, we have a number of other points. There is one I would particularly like clarification on. We will talk about these other matters on a clause-by-clause basis, but regarding section 73(3) there has been some concern voiced about the provision that people employed by the accident prevention association under section 119 of the Workmen's Compensation Board Act "shall . . . be deemed to be employees of the board." This is not something new, as I understand it; it has been in the Act previously, and it is my understanding that these provisions are in there in regard to the superannuation fund of the Workmen's Compensation Board.

However, there has been some concern in the community as to the exact intent of these provisions, and I wonder if the minister can indicate exactly what the intent of the board is in this regard and whether there is any substantial change in the attitude of the Workmen's Compensation Board to these employees. The industries or companies have always felt that because they have set up these accident associations under the statute, section 119, the employees for other considerations were considered, in effect, as employees of the accident prevention associations and not of the Workmen's Compensation Board. There is now concern that for the full range of benefits, salary and whatnot those employees are responsible to the Workmen's Compensation Board and not to the IAPA. I'd like some consideration of that.

One more general comment, Mr. Speaker, and that is that while many of the recom-

mendations in this amended Act flow from the task force on the Workmen's Compensation Board and deal primarily with the administrative side of the Act and of the board we have two concerns. One, I think, is that many of these provisions will, in fact, make the board more responsive.

Reading the report of the task force, obviously this was the thought uppermost in the minds of those people who wrote the report—that they had to provide a delivery service which would become more humane, more people-orientated and get away from this kind of beaucratic, faceless structure in which everyone was considered a number and efficiency was the watchword. We are glad to see that and we hope that this bill, in effect, will achieve that very purpose.

On the other hand, we are a little concerned, and I've always been concerned as a member of this Legislature, that perhaps we are getting even further away from direct control by this Legislature of the Workmen's Compensation Board. The minister may say that it is necessary for a board such as this to function completely independently. As a matter of fact, the task force dwells on that to some extent. But I would like to remind the minister that it has been this very independence, this very remoteness, which led to the schemozzle in the Workmen's Compensation Board in the first place.

It led to a select committee of this Legislature. It led to the minister appointing a task force to review the structures and objectives of the Workmen's Compensation Board itself. Over the years that we have been here—six that I have been here—every year we have had a debate on the Workmen's Compensation Board and very seldom does it even appear as an estimate within the Ministry of Labour. The minister often has got up—and his predecessors—and said, "I have no direct control over the Workmen's Compensation Board. I do not tell them on a day-to-day basis how to conduct their affairs."

The debate in the chamber and our suggestions, I'm sure, are carefully noted and taken back and chewed over and so on. But nothing has taken place; no improvement has taken place up to this year with the appointment by the minister of his task force and this bill. It is much to the minister's credit perhaps, even if he was forced into it to some extent by the standing committee and the revelations which came out of that. I'd like to draw a parallel with Hydro because I feel very strongly the same way.

I think the amount of social services we are delivering, the amount of money involved, the decisions and policy involved in the allocation and choice of a new head office and that sort of thing, are matters of too much concern to this assembly to be left solely in the hands of an independent board. I would say to the minister that we are very concerned that he directly and, through him, this chamber should have more control over, more day-to-day information from, more input into and more communication with the Workmen's Compensation Board.

The argument is often made that indeed these boards and commissions have to function independently if they are to do a non-partisan job. Quite frankly, in some circumstances I think there has to be a large political input into a board or commission of this type. When I say political I mean what is sensitive to public opinion and sensitive to what the public thinks. I would reiterate and I would suggest most strongly —and I hope the minister can give us some assurance—that in effect there will be better communication between and more control by his ministry, and this chamber, and the Workmen's Compensation Board. For the people of the province, we hope that these changes that he is bringing in will lead to a more humane Workmen's Compensation Board and a more efficient one in the sense that people's needs are being served. Thank you, Mr. Speaker.

VISITORS

Mr. R. G. Eaton (Middlesex South): Mr. Speaker, I would like to draw the attention of the House to guests in the west gallery, the students and staff of McEachren Public School in Lambeth, in the riding of Middlesex South, and I am sure the members of the House would like to join with me in welcoming them.

Mr. Speaker: The hon. member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Mr. Speaker, in speaking to this Act to amend the Workmen's Compensation Act, I must say that we on this side are very relieved that it is going to a standing committee of the House for a thorough review of the amendment Act. This is important, because as I read it, the powers given to the board in this amendment Act, particularly to set

the assessments and so on, and the regulatory powers given in this Act, in fact allow —if this Act is passed—a complete implementation of the task force report. The only thing that would be left in the future for another Act to do would be to amend the benefits which the board pays.

So it is important for any group of people in society—employers, who might want to talk on assessments, the labour movement, who might want to talk on the structure, or the injured workmen's consultants, who are dealing with injured workmen and representing them—to come in and be able to voice their concerns about those sections of the Act which allow the entire recommendations of the task force report to be implemented.

There are various things in the Act itself which concern me. One is the immense powers, as the Act now reads, which would be given to the chairman, which is rather unusual. It may well have been the way in which the previous board operated, with the main administration resting with the former chairman. He talked only to the general manager about administrative policies and very seldom to the other two members of the board. We felt that this was wrong. This was one of the things which made the board rather less responsive to all the needs and cares of the Workmen's Compensation Board, and in this legislation we seem to have it enshrined, specifically in section 8 where the new 71(1) comes in, where the chairman, with the approval of cabinet through the Lieutenant Governor, may establish job classifications and so on. The same applies in the next section, subsection (2), where he can have other powers, but I am particularly concerned with subsection 1 regarding that situation.

We assume from the Act that the vice-president of administration will be the present general manager, or the general manager becomes that. It is these type of questions which we would like to see thoroughly discussed.

We are a little bit concerned—and I'll hurry my remarks along, Mr. Speaker—that we are not getting a full four members; that it can be anywhere up to four. We are concerned about what would constitute a quorum for board meetings. It could be only three people or it could simply be the vice-president of administration and the chairman who constitute a quorum for purposes of board business. We are also concerned that the board is not going to meet as often as we think it should so that all members are fully participating in the business of the board.

This can all be ironed out in the standing committee, and the reasons for the various sections as they appear can be gone into. There is confusion within the Act on what a "board commissioner" is and what his duties are, and who is "another commissioner appointed on a full-time or a part-time basis" and what his duties are. That too can be cleared up at the committee stage.

We are concerned with the full implementation of the task force and that we have an input as members of the Legislature, and other members of the public, in the joint consultative committee which was recommended in the board; how that will be set up; and the membership on that committee. We are particularly concerned that the appeal counsellors not be civil servants, but that in fact money be made available so that other groups in the community who aren't connected with the ministry or the board can receive that money and can act as appeal counsellors—representatives from the Ontario Federation of Labour for example, or representatives from the various injured workmen's consultants groups around the province. Again, this can be gone into thoroughly in the standing committee.

If it had not gone to standing committee, Mr. Speaker, on the basis of the fact that primarily this Act had nothing in it pertaining to benefits to be paid to injured workmen, on which we have on every occasion indicated our views that they are too small, and they should have an escalator clause, dating back for many years, to bring those on pension from 15, and 20 years ago and more up to a proper standard of living, we would have voted against this bill, Mr. Speaker. It does not contain any benefit provisions, and our general concern is about the corporate structure in which the board chairman seemed to have very unusual powers, powers well above and beyond what most board chairmen have, and a really dictatorial power over the other board members, where we feel very strongly that the board members should all be equal and participating fully in the policies of the board.

Before I take my chair, Mr. Speaker, I will say that we will vote against this bill because it has gone to standing committee and because we will be able to discuss it thoroughly in standing committee. When the minister replies, would he indicate to us which standing committee, and when he expects it to meet, if he can?

Mr. Speaker: The hon. member for Riverdale.

Mr. J. A. Renwick (Riverdale): I have only a word to say. What my colleague was saying is that we would vote for the bill because it is going to standing committee. The statement that we would vote against the bill was a slip of the tongue.

Mr. Bounsall: Verbal.

Mr. Renwick: Mr. Speaker, I just want to say to the minister that really our basic concern is that the bare skeleton of the change of the structure of the board as set out in the bill can only be knowledgeably understood in the standing committee. I would, therefore, ask specifically that the chairman of the board be there; that such other members of the task force as can conveniently be made available on such short notice would be present; that in the case of the superintendent of insurance, whose role we have never understood, that the minister's colleague, the Minister of Consumer and Commercial Relations (Mr. Clement), be asked to have the superintendent of insurance available; and that we also would appreciate it if the acting Provincial Auditor could be available because there are some very real questions about the nature of the annual report, and the nature of the annual audit that need some understanding.

I think that the proceedings of the standing committee may well provide the proper ambit that we can get some sensation of exactly how the board is intended to operate, which is not available to us simply by reading or trying to understand the provisions of section 8.

As my colleague said, we support the bill in order that it can go to the standing committee on Monday at the earliest possible opportunity.

Mr. Speaker: In view of the hour, perhaps the hon. minister would like to move the adjournment of this debate.

Hon. F. Guindon (Minister of Labour): I think that very briefly within the next couple of minutes I could respond to the two members opposite.

I should like, first of all, to assure the members of this House that it has never been my intention to rush this bill in the last few days of this session—far from it. The bill came in late. As you know, the report from the task force was made public on Sept. 2, I believe, and our people have been working on this legislation for a long time.

However, this bill is just looking after the administration side of it, the appeal structure. It is my intention to come up with a benefit side later on in the winter session after consultation with management and labour for some time. In this particular case it was brought to my attention only recently that some people wanted to know more about what the structure of the board was going to be, and rightly so. I am pleased that all parties have agreed that this bill will go to a standing committee on Monday at 10 o'clock; it is my understanding that we will be appearing before the resources development committee, so all these questions can be aired. I will make sure that all the necessary staff from the WCB are present; in addition, to respond to my hon. friend from Riverdale, I will get in touch with the superintendent of insurance and the Provincial Auditor to see if they can possibly be in attendance as well. We will also contact labour and management during the weekend telling them about the standing committee and to appear before it.

As for the reference by the member for Rainy River that the minister be more responsible to the Legislature and closer to the WCB, I can assure him that this has taken place already and will continue to do so.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand the bill is to go to the standing committee, and that the standing committee by unanimous consent has agreed to meet at 10 o'clock Monday morning. Is that correct?

Agreed.

Hon. Mr. Winkler: Mr. Speaker, before I move the adjournment of the House, I simply thank the members for their co-operation in regard to this particular bill.

We will follow the order as agreed by motion a day or two ago; the House will sit at 10 o'clock, the question period will be at 2 o'clock, and the resources development committee as suggested, will meet at 10 o'clock.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.

APPENDIX

(See page 6822)

Mr. Rowe, from the committee of supply, reported the following resolution which was concurred in by the House:

RESOLVED: That Supply in the following supplementary amounts and to defray the expenses of the government ministries named, be granted to Her Majesty for the fiscal year ending March 31, 1974:

MINISTRY OF GOVERNMENT SERVICES

805 Payments services programme	$ 1,250,000

MINISTRY OF AGRICULTURE AND FOOD

1703 Rural development programme	1,550,000
1704 Agricultural marketing programme	800,000

MINISTRY OF THE ENVIRONMENT

1801 Ministry administration programme	1,000,000

MINISTRY OF NATURAL RESOURCES

2102 Land management programme	10,775,000

MINISTRY OF TRANSPORTATION AND COMMUNICATIONS

2202 Maintenance programme	4,200,000
2203 Construction programme	14,200,000

MINISTRY OF COLLEGES AND UNIVERSITIES

2402 University support programme	1,996,000
2403 Colleges and adult education support programme	8,957,000

MINISTRY OF COMMUNITY AND SOCIAL SERVICES

2504 Community services programme	4,489,000

MINISTRY OF EDUCATION

2601 Ministry administration programme	2,201,000

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No. 160

Ontario

Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Monday, December 10, 1973

Morning Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

OFFICE OF THE SPEAKER
PARLIAMENT BUILDINGS, TORONTO
1973

10

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(Daily index of proceedings appears at back of this issue.)

LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 10, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

PROPOSALS FOR MUNICIPAL FINANCING

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I would like to inform the House that there's a meeting taking place at this moment in the Frost Building in regard to the signing of the Neighbourhood Improvement Programme. It is attended by the Treasurer (Mr. White), the Minister of Housing (Mr. Welch) and the Minister of the Environment (Mr. Auld); and the federal urban affairs minister, Ron Basford. The meeting is dealing with federal-provincial programmes for land assembly and sewage treatment. Mr. Basford and the Ontario Minister of Housing will sign the federal-provincial agreement covering the Neighbourhood Improvement Programme.

Under the agreement, Ontario municipalities may make use of this programme introduced in the recent amendments to the National Housing Act. For eight types of improvement, the federal government will be providing 50 per cent financing and the province of Ontario 25 per cent. In two areas of aid, the federal and provincial contributions will be 25 per cent each. An initial list of 22 designated areas will be discussed with the provincial-municipal liaison committee on Dec. 14.

Mr. A. J. Roy (Ottawa East): When is that in effect?

Hon. Mr. Winkler: Pardon? It is being signed this morning.

Mr. Roy: It is being signed this morning?

Hon. Mr. Winkler: Right.

Mr. Speaker: Orders of the day.

MUNICIPAL ACT

Mr. Irvine, on behalf of Mr. White, moves second reading of Bill 272, An Act to amend the Municipal Act.

Mr. Speaker: The hon. Leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, perhaps the parliamentary assistant would make some brief remarks on this series of amendments. When the bill was introduced originally, the minister spoke briefly and said the carriage of the bill would be in the hands of his parliamentary assistant; it would be of some assistance if there might be a brief explanation of the import of the sections.

Mr. D. R. Irvine (Grenville-Dundas): I would be pleased to, Mr. Speaker.

The first section of the Act deals with some of the powers presently being implemented by the Treasurer (Mr. White) which are being transferred to the Minister of Housing (Mr. Welch), and that legislation is being put through this House by the amendments to the Planning Act.

The second section is a section to provide greater pension benefits to those employees who are presently in OMERS and other pension plans throughout the province. There are approximately 10 other plans that would be affected, the majority being in Metro Toronto and the rest in Hamilton, Ottawa and Ottawa-Carleton. It provides that those employees retiring at 60 will receive their full pension until they become age 65, at which time the Canada Pension Plan takes effect. At the present time, their pensions are reduced by the amount of the CPP.

The next section deals with conflict of interest and the Municipal Elections Act.

The fourth section deals with the certification by the clerk of the assessment roll, as last returned, and authorizes the interim levying of taxes based on the roll that was last received by the municipal clerk and altered, amended and corrected by the clerk in a situation where the regional registrar of the provincial assessment review court has not certified the last revised assessment roll by Dec. 31.

Section 5 is further permissive legislation whereby municipalities may require owners of private lands who are constructing swim-

ming pools to have not only, as at the present time, certain gates and fences around the pools, but also that they cannot use the pools until such time as water is in the pools and the fences and gates have been erected ahead of the placing of water in the pools.

Section 6 deals with private lands, abutting highways, permitting owners or lessees of those lands to install, maintain and use stationary or mobile cranes or hoists upon such highways. There are certain restrictions at the present time in the Municipal Act, and this is a further one whereby municipalities can pass a bylaw to include the use of such cranes and hoists.

Mr. S. Lewis (Scarborough West): We are supposed to be dealing with this in principle, not clause by clause.

Mr. Irvine: The hon. Leader of the Opposition asked me to do it clause by clause, I believe, Mr. Speaker.

Interjections by hon. members.

Mr. Lewis: He asked the parliamentary assistant to extract the principles.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): It is part of our usual co-operation.

Mr. Irvine: Section 7 is dealing with the municipalities' authorization to pass bylaws to provide lanes for public transit. Section 8 is also a conflict of interest cross-reference.

Section 9 is a rather lengthy one, dealing with permissive legislation under which members of council can delegate to the provincial assessment review court the authority to deal with applications before them for the cancellation or reduction or refund of taxes. It also provides for a method of giving the assessment commissioner notice of the decisions on these applications.

Section 10 is quite lengthy, and somewhat similar, dealing with the councils having the authority to delegate to the assessment review court the right to deal with recommendations made by the municipal treasurer for the increase of taxes where a taxpayer by error has been undercharged. It also provides a method for giving the assessment commissioner notice of decisions on recommendations as referred to.

Mr. Speaker, that would appear to me to be the main items, then. As for the amendments that we have before us this morning, if the hon. Leader of the Opposition wishes further clarification, we would be happy to try to provide that for him.

Mr. Speaker: Any further comments on this bill?

Mr. V. M. Singer (Downsview): Is this second reading?

Mr. Speaker: This is second reading of Bill 272, yes.

Mr. Singer: Does the minister foreclose on all this?

Mr. Speaker: No, the hon. member was asked to make opening comments. Now are there further comments? The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): There is a belief in this party, Mr. Speaker, that no bill should go by uncommented upon. It is one advanced particularly by the member for Riverdale (Mr. Renwick).

Mr. A. J. Roy (Ottawa East): This should be good.

Mr. Cassidy: He feels that in the light of history he wouldn't like some researcher in the year 2000 to be looking back to the workings of the Parliament of Ontario in 1973 and find that certain legislation—

Mr. C. E. McIlveen (Oshawa): And think that the member for Ottawa Centre had not commented on the bill.

Mr. Cassidy: Our safety man is the hon. member for Riverdale.

Mr. Lewis: We have the whole week, relax.

Mr. Cassidy: Yes, we have the whole week, that's right.

Mr. McIlveen: I think the member for Ottawa Centre is backing him up since he moved to Toronto Island.

Mr. Cassidy: Oh, is that right? If the member for Oshawa would come over there right now, he would find it very pleasant.

Mr. Speaker, the bill is almost completely routine. The one thing that I would particularly single out as welcoming, because I did suggest it several times in the House in the course of last spring, is the general legislation to permit municipalities to create bus lanes without having to come back to this particular Legislature for the authority.

You may recall, Mr. Speaker, that in a number of the regional municipality amendment Acts of the spring we were giving powers to create bus lanes on an individual basis. As I recall, I think I said it was making this place look like a municipal

council writ large, and that didn't make much sense. It makes an awful lot more sense, once something like this is established and makes sense, and once the people obviously accept it in a number of municipalities, that it should go into general legislation. That has been done in this particular bill.

The authorities about swimming pools, I would suggest, Mr. Speaker, are still confused. In this particular case, the discretion being given to local councils is sensible because of the fact that in certain areas, the township of Albion or other places like that where people live on estate-size lots and are not crowded together—they're in that kind of income class—quite possibly the safety requirements for swimming pools which would be needed either in Toronto or Ottawa suburbs are not required in these semi-rural kinds of situations. Therefore, there should not be the same restrictions on everybody everywhere in the province when they want to have a swimming pool.

However, it is not clear whether or not the other restrictions that come in under provincial legislation—for example restrictions on swimming pools which are used in connection with apartments—apply in this particular case. I would welcome a clarification from the parliamentary assistant about that particular matter.

This clearly applies to private swimming pools attached to a single-family residence or on the lot of a single-family residence, but what about lifeguard restrictions which have been the subject of some controversy, which the hon. member for High Park (Mr. Shulman) has raised on a number of occasions with—is it the Minister of Consumer and Commercial Relations (Mr. Clement) or the Minister of Health (Mr. Potter) who is responsible for those?

What about the various classes of swimming pools? What about swimming pools which are operated in the open by a private organization, such as the Knights of Columbus or the Kiwanis, which serve a municipal recreational function but do so under private auspices? It is not clear who has the authority in those particular cases and I would welcome clarification on that because it's not clear in this amendment to subsection 1 of section 354.

The questions about the reference to the assessment review courts make a fair amount of sense as well, Mr. Speaker. Since assessment has been removed from the municipal level as a municipal function, we had a rather anachronistic situation in which the councils were responsible for appeals for decrease or increase of assessments even though they didn't do the actual assessment and weren't responsible for it.

In terms of the concentration of authority at the local level it was clear to me, at least for a brief instant when I originally read these amendments, that the council may delegate these powers but is not being compelled to delegate the powers. Therefore, it's not a matter of removal of a function from the council with no recourse; it's a matter of taking the function away from the council if it chooses to delegate it. It doesn't make an awful lot of sense to us to have the whole council, or even a committee of council, hear an assessment appeal in a city the size of Toronto or Mississauga or North York or Ottawa. This is a function that should properly be delegated, and the delegation to the assessment review court is a sensible place to put it.

With those remarks on the record for the sake of history, Mr. Speaker, we will support the bill.

Mr. Speaker: The hon. member for St. George.

Mrs. M. Campbell (St. George): If I could just have clarification of section 2, subsubsection 4. I'm asking whether this does now preclude a municipality from giving additional assistance by way of additional bonus or pension benefits to senior officials who, when they retire, have been placed in the position of a ranking firefighter. It usually happens with firefighters on their retirement. I'm referring to the fact that it has been a practice in municipalities to give some additional assistance to the chief or the deputy when he retires. Traditionally, under the old pension scheme, the chief was not able to obtain anything more than just the normal pension fund. Does this preclude that or can they now still exercise the discretionary function for such officials? If I could have clarification of that, with the other questions which have been asked, I have no further comments.

Mr. Speaker: Any further comments on this bill on second reading? The parliamentary assistant then may wish to reply.

Mr. Cassidy: He's been pretty hard-pressed with this one.

Mr. Irvine: Yes, Mr. Speaker, I appreciate the member for Ottawa Centre is being very kind to me this morning, and the rest of the members also. We'll try to be as brief as possible.

With regard to the swimming pool regulations, the regulations that are presently in

force still exist. This merely is a regulation outlining what has to be done with regard to outdoor, privately-owned swimming pools if a municipality wishes, by bylaw, to enforce certain regulations. It has absolutely no effect on regulations that presently are in force for any groups or municipalities that have a public swimming pool which is out-of-doors.

I would say to the member for St. George that I was trying to hear, but I am sorry, I couldn't hear all her question. I would say to her again that what we are doing is merely improving the pension plan for all employees who retire at 60. They will not be losing the benefit of the $1,200, approximately, of the Canada Pension Plan, and when they reach the age of 65 they will carry on then with the normal pension which they would get in any event. What they have now is a reduction, and by taking out this 0.7 per cent they are allowed to have a more beneficial pension than they have at the present time.

Now, if there is something else, I am sorry, I just couldn't hear. But the amendment to the Act is merely to assist all employees to have a better pension.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

GIFT TAX ACT

Hon. Mr. White moves second reading of Bill 258, An Act to amend the Gift Tax Act.

Mr. Speaker: The hon. Leader of Opposition.

Mr. R. F. Nixon: Mr. Speaker, when the Treasurer brought down his budget some months ago, he made an important statement at the time that was very well received in the agricultural community, and in my opinion well received by people who are expert in matters of estate planning and estate tax. This is the second part of the fulfilment of the announcement at that time that the government would permit agricultural properties as going concerns to be passed on from one generation to the next without the undue imposition of estate taxes and succession duties.

This one permits the owner of the property to make once-in-a-lifetime gifts to directly related second-generation offspring, or something like that, so that the actual purchase of the property can take place at least in large measure under controlled circumstances. As a matter of fact, there have been provisions for once-in-a-lifetime gifts, and at one time also a series of regular gifts amounting to just less than $5,000 per year, which have been used in estate planning by farmers who wish to see that their property is passed on to their sons without the imposition of succession duties at a level which would force the sale of the farm and break the continuity of the farm management and ownership.

This whole procedure is easily misrepresented and easily misunderstood. The value of the farm property and the implements and the stock that go with it, would under normal circumstances mean the payment of a very large succession duty indeed. I have experienced this myself in the transference of my father's property into an estate from which I'll benefit eventually. The taxes are substantial, and in many circumstances in the past there was pressure leading to the sale of a property, which certainly was not the intention of the tax impositions of the past.

We on this side welcome the two bills. We feel that the policy decision made by the Treasurer and the administration now close to eight months ago was the right one. We think that the provision of this bill on the gift tax principle is necessary in order that an orderly transference of the property can take place.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Mr. Speaker, the bill permits the one-time gift, to a relative, of farming property in the value of $50,000, and that's basically it. We are not going to oppose the bill, Mr. Speaker, but I can't say that we are wildly enthusiastic about it. I just get the feeling, as I watch this legislation go through, that the government has a policy which effectively benefits well-off farmers, while at the same time it is driving thousands and thousands of other farmers off of the land because of the inadequate incomes which are being paid to them.

Mr. R. G. Eaton (Middlesex South): Oh come on!

Hon. W. A. Stewart (Minister of Agriculture and Food): That's absolute asinine nonsense and the member knows it.

Mr. Eaton: The ignorant farmer from Ottawa.

Mr. Cassidy: That is perfectly true. The Minister of Agriculture and Food should

know, for example, that there are an awful lot of farms in my region in eastern Ontario that have gone out of business over the last 10 or 15 years, Mr. Speaker.

Interjections by hon. members.

Mr. Cassidy: I don't know what has got into the government. Any word of criticism on a Monday morning seems to get to them.

The number of dairy farms in Glengarry county has gone down by about 600—by half—in the course of the last eight or ten years, Mr. Speaker.

Mr. Speaker: Order, please. We are discussing Bill 258 this morning.

Mr. Cassidy: That is correct, Mr. Speaker. The point about the bill is this, Mr. Speaker, that it permits a one-time gift of farming property to a son or daughter or a cousin or a sister or a brother or an aunt to the value of $50,000. But you have to have a viable farm in order to benefit from this particular bill. And the fact is that many farms in the province are not worth handing on, because of the policies of the government, because there are inadequate farm incomes in the province, and because of the policies about food, about marketing and so on.

Mr. Speaker: That is perhaps a different principle.

Mr. Cassidy: I am sorry, Mr. Speaker, I think that this does enter very directly into the principle.

Mr. Speaker: No, I disagree.

Mr. Cassidy: Perhaps I can talk about some of the other aspects—

Mr. R. F. Nixon: Yes.

Mr. P. G. Givens (York-Forest Hill): Yes.

Mr. Cassidy: —of the whole policy about support to capital as far as farmers are concerned and the lack of policy as far as support to incomes. This is the problem that I'm speaking about, Mr. Speaker.

Mr. Speaker: No. Order, please. The member knows that that would be out of order. The bill has to do with a $50,000 gift.

Mr. Cassidy: I am suggesting to you, Mr. Speaker, that it is too early on a Monday morning, and because of the idiotic time that this House has met this morning—

Interjection by an hon. member.

Mr. Cassidy: —you are simply being rather roughshod in your decisions about this particular matter.

Mr. D. R. Timbrell (Don Mills): The member is laughable.

Mr. Cassidy: The interjector is laughable. The member for Don Mills is completely laughable. God knows what he does for his increase in salary. I think he gets a parliamentary salary.

Mr. Timbrell: I'll match you any day.

Mr. Cassidy: He will, eh? All right; well I hope he gets up and speaks on this bill then, since he's offered.

Interjections by hon. members.

Mr. Cassidy: Anyway, Mr. Speaker, you have cut me down in my tracks. We will support the bill.

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): Hang in there.

Mr. Cassidy: Okay. Let's just talk a bit more about the bill since people have asked about it.

Interjections by hon. members.

Mr. Cassidy. This is directed to the Treasurer now, because the Treasurer has brought in a number of provisions which relate to farms. Some of them have been welcome in terms of the exemption from education tax of farm property. That we have welcomed. But others say that if you manage to survive in farming—and that's what this bill here says —then we'll help you, but only if you manage to survive in a market system which is being created by this particular government.

I hope in reply that maybe the Treasurer would like to get in on this, and I presume that he will since it's his bill. Perhaps the Treasurer can explain what value is this to a farmer whose farm is no longer economic because of policies of the government. How does he benefit in any way or for that matter may it not be that in this particular case it is simply an exemption on land that may well be sold for speculative purposes for a change of use, because the government has made it uneconomic for farming? Perhaps the Treasurer can answer that particular question.

Can he point to policies of the government which have an equal impact on the farmer during his lifetime, rather than simply on the transfer of the farm from one generation to

another? Can he tell us why this special gift tax exemption is necessary in view of the extraordinarily and unjustifiably high levels of succession duty exemption that now prevail because of the bills that he has brought in over the last two or three years. You can transfer property—I think it's up to $500,000 between partners; and something like $150,000 or $200,000, I haven't got the figure in front of me, between generations without paying a nickel in succession duty tax. What, in fact, is the need for this particular feature as far as gift tax is concerned? I'm not convinced, in other words, that it is necessary from that particular point.

I think there is one other technical weakness in the Act as well and that is this; a farmer who is in his 60s, Mr. Speaker, and who wishes to pass the farm over to a son or a daughter who wishes to take it over is faced, in this particular bill, with a kind of an all-or-nothing provision. He's got to give a full $50,000 worth—if that's what he ultimately intends to give—in order to gain complete exemption from the gift tax. He says to his son, or his daughter, or his nephew: "I'll give you $10,000 worth of it this year, a $10,000 share when I'm 65, another $10,000 share when I'm 68 and the rest when I'm 70. That will correspond to the way in which my own effort in the farm decreases, because I'm beginning to phase myself out and gradually go into retirement." This is a sensible kind of retirement programme for a farmer, it would seem to me, rather than cutting off completely in one jump.

But according to the bill, the gift tax exemptions will only apply to the first of those four or five gifts, even though they have a total value of $50,000. If the government intends to give this special gift tax exemption to farmers then I wonder why it can't be a cumulative kind of thing as long as it is to the same individual.

It should even be allowed in the case where a farm is being passed on to two or three close relatives who intend to farm it in partnership. In other words, if two or three sons are being given it why must the gift given to only one of those particular sons rather than to all? I'm not clear; it may be that the gift can go to two or three individuals so long as the total value is up to $50,000, but it can't go to a single individual over a period of time, that you can't do it in slices or *en tranches*. I would suggest that if the government wanted to do this at all, it might consider an amendment to permit that particular provision.

Mr. Speaker: Does any other hon. member wish to speak to this? The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I just want to make a few comments with respect to this bill. It's a companion bill to Bill 174 and, as the minister may know I made some comment with respect to Bill 174, and I think it applies to this bill.

Mr. R. F. Nixon: The member's amendment almost got into this bill.

Mr. Gaunt: Actually, the two bills would have made a very attractive package if the minister had considered one amendment to Bill 174, and that is the matter of the mortgage-back principle. When the Treasurer introduced his budget last April he indicated that this legislation would be coming forward, and at that time he indicated that this was designed to help farm families transfer the family farm from one generation to the other—a laudable principle and one with which I certainly agree and I think all members agree.

The problem with respect to this particular bill is that, while we support it, our enthusiasm is somewhat tempered because of the fact that it's not going to be as easy as we had hoped for farmers to transfer farms to their sons during their lifetime. The reason for that is that under Bill 174 the government has not accepted the mortgage-back principle, which means that the son, during the lifetime of the father, doesn't have the security which we think he should have. After all, he's not going to stick around waiting for the father to die.

Under the terms of this particular bill he gets a $50,000 tax-free gift once in a lifetime, but the problem here is that if the father is in an equity position of $60,000, $70,000 or $80,000 and he wants to take advantage of the provisions under this Act he may do so during his lifetime. However, if he does so, he may then be in the position where he doesn't have enough equity to retire himself, and so he can't take advantage of the provisions under this Act. After all, if he is going to transfer his farm to his son or daughter, he has got to have some equity himself. If he is going to town; if he is going to build a new home or if he is going to buy a home, if he is 65 years of age he has got to have some money or some equity so that he can retire. After all, if he is 65 and he lives until he is 75 or 80 then he has got to have at least 10 to 15 years' equity—sufficient money to live on, in addition to his old age pension.

So if he has only $50,000 or $60,000 tied up in the farm he is certainly not going to take advantage of this gift tax provision because he can't afford it. He can't take the risk of being placed in the situation where his assets are very limited and where he would have to live on those assets for another 10, 15, perhaps even 20 years.

The purpose of this bill is commendable, but its operation and its actual application, in my view, is going to be somewhat limited because of the restrictions under Bill 174. If the minister would consider the mortgage-back principle and consider that a mortgage would be viewed as a farm asset under that Act, then I think the two bills in concert could do a lot for the transferring of family farms from one generation to the other.

I hope the minister will consider that, because being a reasonable man on a Monday morning at 10:30 I think he can see my point, and I would hope that the minister would make that one adjustment.

An hon. member: On both bills.

Mr. Gaunt: I think when he does that then we will have two good pieces of legislation.

Mr. Speaker: Any further speakers to this bill?

Hon. Mr. Stewart: Mr. Speaker, if I may I would like to add a few comments to this bill, because quite frankly I think the Treasurer brought in some excellent legislation last spring in his budget of April 12 having to do with the transfer of the family farm from one generation to the next.

The bill that we have before us this morning, which is presently being dealt with, certainly to my mind provides the opportunity for the transfer of family farms from one generation to the next in a way that we perhaps haven't enjoyed ever before in this province, certainly to this extent.

I share some concern with my friend from Huron-Bruce when he mentions the matter of the mortgages being considered a part of the transfer of estates, and I would like to suggest to my friend the Treasurer that he might give favourable consideration to these recommendations as time goes on, because I believe that it does help to a very great degree.

Mr. Roy: It was suggested to the parliamentary assistant a month ago.

Hon. Mr. Stewart: There are times when a young couple want to start up on a farm, enjoying the farm business, but they may not be in a complete position as far as their family is concerned, that is the parents of the young person who wants to start up may not be in a position to turn over the complete ownership at that particular time and would like to enjoy some security as time goes on. These are the points that are being dealt with and I am sure my friend the Treasurer will be giving his consideration to those points that have been so well expressed.

Frankly, the whole matter of farm credit has become a very serious matter and I readily acknowledge the fact that I did discuss with the Treasurer and the cabinet at some length, prior to the introduction of the budget, the necessity of these two bills. Certainly with present credit being as difficult to obtain as it is, and with the $100,000 ceiling which exists in the Farm Credit Act, and that is a sizable amount of credit, believe me. I suppose many of us starting off in our day would have thought $100,000 would have been completely out of the question to invest in a farm. None of us would have even thought of starting had that kind of credit been required. However, with the size of the units we have today in Ontario agriculture, that is not at all a large amount of credit or capital invested in a farm operation. Frankly, through our ministry and the Canada Department of Agriculture, we have encouraged the establishment of units that do require sufficient capital to make them viable to the point where some of them are quite viable and do involve an enormous amount of capital.

In the past, farm owners who wished to sell their farm or turn it over to the next generation, found themselves frustrated because of the lack of sufficient capital available and because of the previous restrictions whereby a father could not make a substantial gift to the son in order for him to have sufficient equity to go to the Farm Credit Corp. to obtain enough credit to take over the business.

In many instances, I feel it would have been better—and this is why I support my friend from Huron-Bruce in his suggestion—if a mortgage had been taken over by the parents to allow the two families to continue farming, both with a substantial ownership and a sufficient stake in the business, which would develop an even better type of organization on the farm than if just one family were running it.

I've always felt that where two families were involved there was greater input and greater interest, which frankly cannot be competed with by any type of corporate farm structure, I don't care what it is. To my

mind, Mr. Speaker, that is going to be the type of family farm operation that we are going to see continue in the Province of Ontario. It will get bigger, as I see it, and perhaps the time has come when we have to look beyond even the credit availability that is now provided under the Farm Credit Act of Canada.

I am encouraged by comments by the federal Minister of Agriculture that amendments are being considered for the Farm Credit Act; I'm not sure what they are, but I do know that the points I have raised in the last few minutes have been discussed with the federal minister and he's very much aware of the necessity of providing adequate credit rather than seeing these viable units split up and sold, which actually has been the case in the past, where ill health or an unexpected death in the family and succession duties have claimed substantial portions of the estate and there was little choice but to break up that farm unit. I don't think any of us in this House wants that to happen.

So, Mr. Speaker, I support, commend and congratulate the provincial Treasurer for the action he has taken. I believe that it is most far-reaching legislation we've ever had introduced in this House to assist the orderly transfer of family farms within the province; and I commend to him for further consideration the points that have been so well raised by my friend from Huron-Bruce.

Mr. Speaker: The member for Wellington South.

Mr. H. Worton (Wellington South): Mr. Speaker, I would also like to commend the minister on these two pieces of legislation that were introduced and to support the proposals that were made both by the minister and the member for Huron-Bruce.

He might recall that back in June of this year I had correspondence with him in regard to a local farmer who had passed away five days after the budget was introduced, but due to the fact that he held a promissory note in regard to the farm sold to his son the estate was not able to take advantage of this legislation. So I would urge the minister to accept the mortgage promissory note aspects by amending both these bills, and I think it will benefit both the government and the individuals involved.

Mr. Eaton: Mr. Speaker, I would like to say a few words on this. I certainly do commend the Treasurer on the introduction of these steps. We had some discussion on this before and we found that there are many things like this where the Treasurer has assisted greatly with this year's budget.

I, too, would support the proposal made by the member for Huron-Bruce. I think it is a wise one and one that the Treasurer can certainly take a look at to take the proper steps to work it out.

I would also like to raise another point with the minister that I have raised with him before, and that is in regard to the breaking down of the $50,000 into smaller amounts. I certainly feel that if a farmer is bringing his son into the business and wants to bring him into that business by giving him a gift of $10,000 this year, and then maybe two or three years later giving him a further $10,000 and so on until that $50,000 gift is used up, he should have the opportunity to do this. He shouldn't be compelled to give $50,000 in one lump sum.

I would like the Treasurer to take a further look at that aspect of it so that this can be passed on over a period of time and actually work a young man into the farm business, into the family farm with his father. I think that any steps we can take to enhance the family farm in this province are certainly steps in the right direction.

This government, over a period of years, through its policies, not only its capital policies but its policies of assisting the marketing boards giving farmers proper legislation to do the job, has supported the family farm. I would like to see it continue to do this by making it possible to pass that $50,000 on over a period of years and not in one payment.

Mr. Speaker: The member for York Forest-Hill.

Mr. Givens: Mr. Speaker, there is so much legislation going through here that sometimes it makes your head swim. I don't remember whether Bill 174 or any other legislation was comparable legislation with respect to small businesses, where the same principles would apply. Perhaps the minister could refresh my memory, because the same principle would apply with regard to businesses that are gobbled up by foreign outfits or forced into mergers because a man dies and his successors have to liquidate in an awful hurry.

All the same principles apply, and I think we owe the same kind of responsibility to maintain a strong core of small businesses as we do to retain the viability of the small farmer. If this has been done and I've missed something, please forgive me. But I can't

recall that we've had comparable legislation of this kind to apply to small businesses.

Mr. L. M. Reilly (Eglinton): Very good point. The member must have heard me.

Mr. Givens: I beg pardon?

Mr. Reilly: The member must have heard me. I just said the same thing to them.

Mr. Givens: Well, great minds think alike.

Seriously, this is off the track on this piece of legislation, which of course I support as a city slicker, because I think it is very, very important. But similarly, I think the same thing should be done with respect to small businesses and I would request, with great respect, that the minister focus his attention on this particular problem and if it is not being done at this session that it certainly be considered for the next session. I will certainly bring it up again.

Mr. Speaker: Does any other hon. member wish to speak to this bill?

Mr. J. Root (Wellington-Dufferin): Mr. Speaker, I want to give my support to the comments that have been made by the hon. members for Middlesex North, Middlesex South, Huron-Bruce and Wellington South. This legislation, along with the companion bill, is a very important piece of legislation as far as maintaining the family farm. It is very difficulty for a young farmer today to secure sufficient capital to have a viable unit, and if it is not a sound economic unit he's going to go out of business and the family farm will disappear. I'm not going to repeat all the things that have been said, but I hope that the Treasurer will give very serious consideration to the many suggestions that have been made.

I can see the point where a father, wanting to help his son get started on the farm, if he had to give him $50,000 once he might leave himself in a position that he'd end up on the welfare rolls. So if something can be worked out so that he can help the son get started on a sound basis it will benefit not only agriculture but the whole economy of the province. If we don't have a sound agricultural industry which produces the food and keeps it at a reasonable price, if we put it into the hands of corporate farms, I am sure we won't have the efficient operation that we have on the family farm. I am all in favour of making it possible for young men to get started in agriculture.

This is becoming very serious. I understand that the average age of farmers today is 55 and if something doesn't happen in the next 10 years, I don't think our economy will let us import our foodstuffs.

I support these bills. I think there is room for some improvement and I hope the Treasurer will give consideration to that. The same can be said for the small family business, although that's not the subject of this bill. I think if we destroy all these small businesses and put them in the hands of the great corporations, it destroys the competitive system. I am not a socialist; I believe in the competitive system.

Mr. Speaker: Are there any further speakers? The member for Durham.

Mr. A. Carruthers (Durham): Mr. Speaker, as representative of a largely rural riding, I would like to add my support and express my congratulations to the provincial Treasurer for this very important and significant piece of legislation on behalf of the rural people of Ontario, not only the farmer but all the rural people; in fact, all the people of the Province of Ontario, because we face today a significant degree of food shortage throughout the world.

We see a trend toward larger farming operations, toward corporate farming, and I think in both these bills we find to a major degree an answer to many of the problems which are facing the farmers of Ontario and the rural people of the province.

Again, with great sincerity, I congratulate the provincial Treasurer and also add my support to those suggestions made by the members for Huron-Bruce and Middlesex North.

Mr. Speaker: Are there any further comments? If not, the hon. Treasurer.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Mr. Speaker, this is one of the happiest Monday mornings I can remember. My only regret is that there were only two socialists here for most of the debate and now there are only three, which I suppose is some evidence of their interest in the agricultural community.

Mr. M. C. Germa (Sudbury): It is a mutual admiration society.

Mr. Stokes: They are down in committee looking after the injured workmen of the province.

Hon. Mr. White: However, the Liberals have a fairly good representation and the Tories once again are here in full strength.

Mr. Roy: There are more than 10, so that is an improvement.

Mr. Singer: Too much even for the Chairman of the Management Board.

Hon. Mr. White: My family has had a connection with Ontario agriculture and Canadian agriculture dating back to 1857 when my great-grandfather, as a penniless lad, came here from England with a set of tools, £5 and a new wife and started making agricultural implements. In the process, he helped to make the tools that settled Ontario and then opened up the west following 1900 or thereabouts.

I have had a deep interest in Ontario agriculture, as my hon. friend the Minister of Agriculture and Food knows, because we have had a farm in his riding for many generations and I have spent every summer of my life on that farm, starting at the age of six or seven.

Mr. Roy: Is that the one the minister couldn't develop?

Hon. Mr. White: This is the one. That's the one I had occasion to refer to earlier.

As a result of this, I have watched the progress or lack of progress of the rural sector with more than considerable interest since being a member of this Legislature. As an economist, I have very deeply regretted the fact that the rural sector has not, since the war, kept up with the urban sector. It seemed to me that we did have a very strong obligation toward the rural sector, not just because of the people's direct and immediate interests but also for the good of the society at large, to do what we could to strengthen that part of the economy and that part of society.

I have had some number of ideas for several years, and in April was able to implement certain of these ideas in making tax changes of benefit to the farming community. Perhaps the most important of those changes was relieving productive farm land, of all property taxes, in effect. This situation I think does not pertain elsewhere and it should do a very great deal toward preserving productive farm lands.

Concurrently, other changes were made, including the one that we are debating here today; namely a once-in-a-lifetime gift from a farmer to his son, or indeed to his sons, or indeed to his daughters—which is a point that hasn't been brought out before—thereby enabling the farm to be retained in the family in one of two ways. The Succession Duty Act, which is parallel legislation to the Gift Tax Act that we are debating here today, enables the duty on the estate to be calculated, the interest to be added, the total interest and principal to be spread over 25 years on a flat line basis with four per cent being forgiven each year, so that the consequence is that if a farm family retains the farm in the family for another generation all of those death duties are exempted.

As I say, this is complementary legislation. It's late in coming in for debate, sir, and I rather regret that. The reason is that this gift tax is collected by contract by the federal government on behalf of the five participating provinces, and to make a change of this kind, in the interest of similarity across the country, similarity in the collection of taxes by the federal government on our behalf, it's necessary to get the concurrence of the federal government and the other participating provinces. Those concurrences have been received now, sir, although I am interested to observe that the Province of Manitoba wouldn't give its concurrence in writing.

Hon. Mr. Stewart: Par for the course.

Hon. Mr. White: However, they did whisper in the ear of the Minister of Finance in Ottawa that they did, in fact, concur, and so we are able to proceed with it.

It isn't the full and final solution by any means. The strength of the rural community is going to depend very largely, it seems to me, on market conditions; and these market conditions are shaped, for the most part, by the federal government's importation and tariff policies; that is beyond the competence and beyond the jurisdiction of provincial governments.

We do observe price increases in foodstuffs and shortages of foodstuffs. They have been experienced in all parts of the world, this being a consequence of heavy demand pressures through population growth, droughts that have taken place in Australia, some parts of Africa and Asia, and the incompetence of the collective farms in Russia, which have added to the demands being placed on food production in the part of the world where the free enterprise system is utilized. I have had occasion to say before, and I say it again, the world cannot afford the ineffective, unproductive consequences of collectivization in Russia. However, that is something to be debated another day.

Mr. Lewis: Well that is a piece of balderdash such as this House hasn't heard in a long time. If North America hadn't allowed

good agricultural land to go out of production we wouldn't have this problem. If we weren't building airports and Cedarwoods and Stelcos on good agricultural land we wouldn't be talking about collectivization in the Soviet Union or drought in Africa and Asia.

Mr. Speaker: Order please; order please.

Hon. A. Grossman (Minister of Revenue): What about housing?

Hon. Mr. White: Am I to infer; am I to infer—

Mr. Lewis: The minister is to infer that the real reasons are not inability to produce what we used to produce.

Mr. Speaker: Order please.

Hon. Mr. Stewart: A marvellous defence of the Soviet system.

Hon. Mr. White: That is what I was wondering; that's what I was going to ask.

Mr. Lewis: Well, it is easy for the Treasurer to use that argument. We are used to it.

Mr. Cassidy: His form of capitalism is taking farms out of production every week.

Hon. Mr. White: Mr. Speaker—

Mr. Lewis: And the Minister of Agriculture and Food does nothing about it.

Mr. Speaker: Order please.

Hon. Mr. White: Mr. Speaker, now, sir, I say quite frankly, had I known that those rather bland remarks of mine were going to incite this passionate defence—

Mr. Lewis: What? They were asinine.

Hon. Mr. White: —of the collectivization of Russian farms by the leader of the socialist party, I wouldn't have embarked on them.

Mr. Lewis: On a point of order, Mr. Speaker, to enliven the morning a little: Accepting those various explanations from the Treasurer, all of which I am sure are valid, I was simply adding the other and equally compelling point that the government of Ontario, along with North American governments generally, in permitting good agricultural land to go out of production is probably the prime cause of the food shortage in the world.

Mr. Speaker: Order please. This is out of order.

Interjections by hon. members.

Mr. Lewis: Not at all. It is just correcting the record.

Hon. Mr. White: Now, sir, as I say, world market conditions are going to have a great deal to do with the prosperity of Ontario farmers. But it must be said that the federal government has the ability and the constitutional responsibility for shaping those markets and can do so, in fact, without abridging the GATT agreement. So far, I suggest to the members, they haven't accepted their responsibility fully and our farm community continues to pay the price.

Mr. Lewis: What about provincial responsibility?

Hon. Mr. White: We have, insofar as the provincial responsibility is concerned, succeeded in bringing some number of benefits on the revenue side, and I have touched upon those lightly. I am going to be turning my attention more specifically toward this bill in a moment, sir.

Mr. Lewis: How many more farms is the government going to pave over in Ontario? How many more good farms is the government going to destroy in this province?

Hon. Mr. White: We have attempted to meet our responsibilities, I think rather courageously, on the expenditure side, where we have enriched our programmes and introduced certain new programmes to benefit the rural sector and to perpetuate the family farm here in Ontario.

Mr. Roy: I will take Gene Whelan any day.

Hon. Mr. Grossman: The member can have him.

Hon. Mr. White: We are coming to grips for the first time with a variety of land controls. This is something never attempted in this jurisdiction before. I must say that it isn't easy; it is tremendously complicated and perplexing to weigh private rights and public rights. But we are advancing slowly in this direction—although it must be said, without any help from the opposition, because every time we attempt to safeguard the broader public interest they rush to the side of the developers and the speculators, as we have seen them do—

Mr. Lewis: No, no. Only one of the opposition parties.

Hon. Mr. White: —time and time again during this session of the Legislature.

Mr. Lewis: We think the government has gone far enough.

Hon. Mr. White: The point was raised by the hon. member for Huron-Bruce concerning mortgages, and this is something which I have undertaken to study.

When the succession duty bill was debated here, I myself was paying close attention. I found myself in a curious situation. I had spoken that day in Sarnia to the Kiwanis Club and the hon. member for Sarnia (Mr. Bullbrook) was one of those present. I had a supper meeting that evening and said to him in rather a jocular fashion: "If you don't attend the session tonight, I won't. I'll pair with you."

I came back here, had my supper meeting, came over to the House, found that the hon. member for Sarnia was not in his seat, and found myself honour bound, really accidentally, not to enter the chamber. However, I did listen on Mr. Speaker's extension to the debate and the amendment offered by the hon. member for Huron-Bruce.

Mr. Lewis: The minister has got to be kidding.

Hon. Mr. White: I was able to confer with the Minister of Agriculture and Food and several other of my colleagues, and to relay the undertaking of the House, which I now repeat, that this matter of mortgages will be given consideration in time for our next budget. My officials are extremely concerned about the prospect, and I'd like to cite some of their concerns, which is not to say the objections are not insurmountable.

Mr. Lewis: "Which is not to say the objections are not insurmountable." What is that supposed to mean? There are three negatives, and even for the Treasurer—

Interjections by hon. members.

Mr. Singer: The Treasurer has our permission to deny any one of them.

Mr. Roy: That is what you call waffling a bit.

Hon. Mr. White: Now, sir, I have had a recent commentary from my officials, since the hon. member for Huron-Bruce offered on Oct. 30 an amendment to the Succession Duty Act, which would have permitted the substitution of a mortgage on farm property for actual farm property for purposes of forgivable duty. That amendment, I remind the House, provided that where the mortgage was secured entirely by farm property as defined in 17(a) of the Succession Duty Act, and the borrower was defined as eligible under 17(b), then the substitution would be allowed. The risks of doing this are thought by my officials and the officials of the Ministry of Revenue, who have been deeply involved in this with the minister—and I'm glad to see the minister is here, even though the Socialist leader is leaving.

Mr. Lewis: I am hovering, not leaving!

Mr. J. M. Turner (Peterborough): He is waffling!

Mr. Stokes: The Treasurer should make him stay.

Hon. Mr. White: Now then, sir, there is no provision in this bill for the substitution of a mortgage on farm property for actual farm property in respect of the proposed once-in-a-lifetime gift. This was a deliberate exclusion. Allowing mortgages to be eligible as farm property would provide ample possibilities for abuse, it is thought by my officials. It is reasonable to think that where a mortgage on farm property is accepted as a substitute for farm property, the result would be a strong secondary market in farm mortgages, so that all kinds of non-farmers could use the provision to make tax-free gifts of $50,000.

I am not entirely sure in my own mind that this danger is as large as is seen by officials expert in tax matters. If indeed they are correct, it may be that the results of the task force now sitting and soon to make recommendations — which recommendations may include a form of registration—would eliminate this difficulty.

Mr. Stokes: You would think we had a new Speaker the way he keeps addressing his remarks to the Minister of Agriculture and Food.

Hon. Mr. White: There has been some correspondence asking for substitution, and this correspondence seems to arise from persons who took advantage of the $10,000 once-in-a-lifetime gift under the old Income Tax Act. The farmer would give away $10,000 in farm property and take back the mortgage for the balance. There are ways around this problem—and I'm not giving away any secrets, because apparently it's being done—namely, foreclosure by the father and subsequent re-giving, or a process where-

by the father and son became tenants in common on the property. This would solve any gift tax problem. And there is some evidence a foreclosure is taking place to accommodate this purpose.

Now, a little bit of other information which may be of interest to the House. The definition of who is an eligible recipient of the gift is consistent with 17(a) of the Successions Duty Act. It includes sons, daughters, their spouses, nephews, nieces, and grandchildren of both sexes. And the other point which seems to have created some small confusion: The gift may be split into as many parts as desired, provided that the total doesn't exceed $50,000 and that all gifts claimed under this section, section 10, are made in one taxation year only.

There are two points which I want to consider previous to the next budget. One has to do with this matter of mortgages. I'm not convinced at this time that the problems which are evident to the experts are insurmountable, as I mentioned earlier. And secondly, I'm not convinced at the present time that the gift should not be spread over some number of years, although it may become somewhat difficult and perhaps somewhat more expensive in the light of the federal capital gains tax legislation.

I would like to reply briefly to the hon. member for York-Forest Hill on the matter of small businesses. We did introduce at least two provisions in the hope of assisting small business. One was to enable the tax to be paid over a period of six years, in the hope that the earnings of the company would meet the death duties being levied on the estate.

The other thing we did was to make it possible for an estate to deposit with the Ontario Heritage Foundation stock equal in value to the amount of the death duties, with the income from the stock to be used by the Ontario Heritage Foundation to preserve art and antiquities here in Ontario. And my surmise was that it be given by the Ontario Heritage Foundation to the testators so that the family name would be recognized through this. The second provision in this respect would enable the estate to be given first refusal in repurchasing that stock from the Ontario Heritage Foundation.

This idea, I think, had originated with me. I'm not entirely sure at this time. But I was interested to know that this has been a provision in the United Kingdom and apparently has worked rather well.

When the matter was debated, I recall very well the member for Riverdale saying: "No one is going to take advantage of that." And maybe it's so. It seems to me that we have to make greater efforts to inform lawyers, trust officers and others about this provision.

I am, at the present time, seeking additional ways in which to benefit small Canadian business. The most obvious ways in which to do so are to introduce a differential tax system or eliminate the corporate tax on small corporations, but each of these alternatives is so tremendously costly in terms of lost revenue, that I think we are going to have to seek out some more ingenious solutions.

I have asked half a dozen business associations, such as the Canadian Manufacturers Association, the Canadian Chamber of Commerce and so on, to meet me on Jan. 14 for a very frank discussion of these possibilities as part of my endeavour to open up the budget-making process. One runs the risk of having educated guesses made by the participants as to the direction our tax statutes might take. I think that rather small cost will be more than outweighed by the benefits received; that is getting clever and concerned input into the decision-making at an earlier stage.

I have invited the Leader of the Opposition and the leader of the socialist party to be there at that meeting themselves or to send representatives, so that all of this exchange will be right out on the table. I am very hopeful that we will be able to come up with something of greater benefit to small Canadian businesses.

The reason for the extraordinary benefit to the farming community is that the income-to-asset ratio is very much smaller for farmers than it is for small Canadian businesses, and I felt we had to stretch ourselves and go the extra mile insofar as farmers are concerned in the interest of the farmers directly affected and in the interests of the community insofar as food prices, and if I may say so the quality of life in this jurisdiction, are concerned.

Sir, I think that meets the several points that have been raised, and I am delighted by the indications that this bill will have the unanimous approval of the House.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Clerk of the House: The 17th order, House in committee of the Whole.

ONTARIO MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM ACT

House in committee on Bill 243, An Act to amend the Ontario Municipal Employees' Retirement System Act.

Mr. Chairman: The member for Sudbury has proposed an amendment which will be dealt with at this time.

Mr. Germa moves that section 3 of Bill 243, An Act to amend the Ontario Municipal Employees' Retirement System Act, be amended by adding thereto clause (2b) as follows:

> The Treasurer may at any time and from time to time invest in a debenture or debentures of any municipality in Ontario, and deliver to the board any such debenture or debentures in exchange for an equivalent principal amount of all or any part of any debenture of the Province of Ontario heretofore delivered to the board by the Treasurer, provided that any debenture of any municipality so delivered shall in all respects be the same as the debenture for which it is exchanged.

A recorded division has been asked for. Call in the members.

The committee divided on the amendment moved by Mr. Germa, which was negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 23, the "nays" 53.

Mr. Chairman: I declare the amendment defeated. Shall the bill be reported?

Bill 243 reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the Chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill without amendment, and asks for leave to sit again.

Report agreed to.

PLANNING ACT

Mr. Irvine, on behalf of Hon. Mr. White, moves second reading of Bill 264, An Act to amend the Planning Act.

Mr. D. R. Irvine (Grenville-Dundas): Mr. Speaker, could I ask the concurrence of the House to move over to the far side? I find it very difficult to hear everyone. And, in doing so, I would like to also read out some amendments to the Act which I felt would be of some assistance to the members.

Mr. I. Deans (Wentworth): It's okay. The member doesn't have to explain.

Mr. S. Lewis (Scarborough West): Is the member going to withdraw, as the Globe and Mail directed him to this morning?

Mr. Speaker: There seems to be general agreement, if the member would care to move across to a vacant seat here, it would be in order.

Interjections by hon. members.

Mr. Speaker: Did the parliamentary assistant wish to make an opening statement on this?

Mr. Lewis: Withdraw the bill. Bring it back in the spring.

Mr. R. D. Kennedy (Peel South): We want it through for the little people.

Mr. Irvine: Mr. Speaker, as I mentioned before, I do have some amendments I'd like to read to the members and distribute to them so that we might discuss the bill more intelligently as to what our views are at the present time.

The first section of the bill deals with the transfer of powers from our Ministry of Treasury, Economics and Intergovernmental Affairs to the Ministry of Housing and also provides the Treasurer (Mr. White) with certain powers that were formerly with the OMB. We are transferring certain powers to municipalities with the right of withdrawal. We are also giving municipalities the right to delegate certain powers with the right to withdraw these powers. We are dealing with the validation of certain lands in sections 6 and 7 which will be dealt with by the Attorney General (Mr. Bales). We are dealing specifically in section 10 with site control, which is relative only to those municipalities that have a zoning bylaw and, of course, the official plan to implement such development.

We are dealing with what constitutes a quorum for the committees of adjustment and not what limits the number of the committees of adjustment. We have also dealt in this particular bill in the amendment which I'll read with the fact that the applications before the committee of adjustment will be dealt with by the land division committee and will not necessitate an additional application at

the end of this year where there is no official plan in a municipality. As it is laid out in the legislation now, the committees of adjustment are no longer in existence at the end of Dec. 31, 1973.

Rather than go into a lengthy statement at this time, as I'm fully aware that there are many members who wish to speak to this bill, and we look forward to hearing their views, I'd like to read to the House section 7, being the first amendment as we now have it. I would ask that each amendment be distributed to the members. Section 7 will now read:

The said Act is amended by adding thereto the following subsection:

29*a*—(1) The minister may, by order, in respect of land described in the order provide that the contravention, before March 19, 1973, of section 29 of the Planning Act or a predecessor thereof or of a bylaw passed under a predecessor of section 29 or of an order made under clause *b* of subsection (1) of section 27, as it existed on June 25, 1970, of the Planning Act, being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof does not have and shall be deemed never to have had the effect of preventing the conveyance or creation of any interest of such land, provided that the order does not affect the rights acquired by any person from a judgement or order of any court, given or made on or before the day on which the order is filed with the registrar of regulations.

In the first instance, Mr. Speaker, we had this only within a municipality; this, therefore, deals with unorganized territories along with the municipalities that are organized.

Mr. V. M. Singer (Downsview): Is that any different from what you have there now?

Mr. Irvine: Yes. It deals with unorganized territories.

Mr. Singer: Unorganized territories as well?

Mr. Irvine: Yes. To continue with the amendment:

(2) No order shall be made by the minister under subsection (1) in respect of lands situate in a local municipality unless the council of the local municipality in which land is situate has, by bylaw, requested the minister to make such order, which such bylaw the council is hereby empowered to pass.

Mr. Singer: That's exactly the same as subsection 2.

Mr. Irvine: Yes. Subsection (3):

A municipality may, as a condition to the passage of a bylaw under subsection (2), impose such conditions in respect of any land described in the bylaw as it considers appropriate.

Mr. Singer: That's exactly the same as subsection (3).

Mr. Irvine: We add subsection (4):

Nothing in this section derogates from the power of the minister, a land division committee or a committee of adjustment as to grant consents referred to in section 29.

Now we go to section 10 of the bill:

Paragraph 11 of subsection (1) of section 35*a* of the Act, as set out in section 10 of the bill, be struck out and the following inserted in lieu thereof:

11. Plans showing the location of all buildings and structures to be erected on the land and the location of other facilities required by the bylaw.

Mr. Singer: He has reverted back to the Law Reform Commission recommendation.

Mr. Irvine: The amendment continues:

12. Respective drawings and plans showing building elevations and cross-sections of industrial and commercial buildings and residential buildings containing 25 or more dwelling units.

We add paragraph 16 to amend the bill as follows:

Where a committee of adjustment ceases to have jurisdiction to grant consents as provided in subsection (1) of section 31, the minister, or the land division committee, stands in the place instead of the committee of adjustment for the purpose of completing the disposition of any application for consent that may have been pending before any such committee, and that is not finally disposed of on or before Dec. 31, 1973, and that sections 16 and 17 be renumbered as sections 17 and 18.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Downsview.

Mr. M. Cassidy (Ottawa Centre): On a point of order, Mr. Speaker, before we begin the debate which I know the member for Downsview is about to begin, could the parliamentary assistant explain the new paragraph 12, referring to prospective drawings and elevations for industrial-commercial build-

ings and residential buildings of over 25 units? This is a fairly critical issue, because it has been stated in the press that they believe this means height control and design control. Other people who have been consulted suggest that it doesn't mean anything of the sort. If he can clarify what the intent of that paragraph is, it will be very helpful to the debate.

Mr. Irvine: Yes, Mr. Speaker, to the member for Ottawa Centre, I would be happy to do that if I can with my limited knowledge of the law.

Mr. Singer: Mr. Speaker, on that point of order, I think the amendment means what it apparently means in the ordinary English usage. I was disturbed by paragraph 11 as it existed before and I am further disturbed by this, and that is one of the points I want to elaborate on. The minister will get his chance to reply.

Mr. Cassidy: Mr. Speaker, on that point of order, I am not as clear about what it means as the member for Downsview—

Mr. Singer: I am not at all clear, and that is the one point I am going to make.

Mr. Cassidy: But even if it is still ambiguous after an explanation by the parliamentary assistant, I think at least we are entitled to the explanation of what the ministry intends by that particular subsection and then we can deal with it as our views happen to come out, but I think we should at least have a statement.

Mr. Speaker: It seems to me that if a brief explanation could be given it would put the discussion on a sounder footing.

Mr. Cassidy: Thank you very much, Mr. Speaker.

Mr. P. D. Lawlor (Lakeshore): Very sensible.

Mr. Irvine: Mr. Speaker, the intent of this legislation is to allow a municipality to have a zoning bylaw—and of course it has an official plan in the first instance—to control whatever height it wishes by way of the zoning bylaw. This is only site control legislation we are putting into this amendment to the Act and does not in any way limit heights of buildings. We are limiting only the fact that residential buildings do not have to comply with the 12 sections as municipalities may request under this particular Act.

These regulations would not be effective in the case of single family dwellings or duplexes, or any multiple family dwellings. Only in cases where there are 25 or more dwelling units do you have to—if the municipality requests it in the first instance—comply with all the various regulations which we are proposing here. It is not a height control; that is up to the municipalities themselves to implement if they should so wish.

Mr. Cassidy: But what is it then?

Mr. Speaker: The member for Downsview.

Mr. Singer: Mr. Speaker, the introduction of Bill 264 on Dec. 4, which was last Tuesday, and its debate this morning, I think is most unfair and most unreasonable and is a misuse of the process of this Legislature.

We had some reason to expect that when a major piece of legislation was about to be introduced, that there would be reasonable opportunity for the members of the Legislature to do their research concerning it, and for the members of the public who are interested in a piece of legislation such as this one, to consider it and consider it probably in a public forum. We expected it to be considered in a standing committee, which is the traditional way we've done this, with the collective thinking of the members of the Legislature, who would put forward their views, and the views of various people who are knowledgeable in this particular field. This would include planning people, municipal councillors, lawyers who deal with this kind of thing, developers who are concerned about it. Perhaps then some kind of sensible kind of consensus would be arrived at. If it wasn't the government would recognize, having the power that it presently has in this Legislature, it could do exactly what it feels is best.

Now, we can't quarrel with that. There are more members over on that side than there are on this side, and the government is eventually going to have its way. But, Mr. Speaker, we are drawing to the closing hours of this session of the Legislature, and we have a piece of legislation which is very significant legislation and which is not easy to interpret, as witness the little flurry that took place just a few moments ago. The hon. member from Ottawa Centre was dubious about the meaning of paragraph 12 and asked what it means—and I'm going to elaborate on this later in my remarks.

What the minister may think it means isn't necessarily what it does mean. What it means is what the common English interpretation of the words he has chosen do mean, as eventually will be interpreted by the courts in case

there is any doubt about it. What the minister may think it means really is not that significant. The minister may intend something, but unless he is able to carry out his intention by the choosing of the appropriate words, then his intention hasn't been carried out.

It's that kind of thing, Mr. Speaker, that disturbs myself and my colleagues so much. We have here a complicated series of amendments to a very, very, important statute, and the meaning of each individual phrase can have very great significance. Unless we have time really to bounce it around, to gather public opinion, to have ample public discussions, then the purpose of bringing this before the Legislature and asking for a debate really is completely frustrating. It's unfair. It's unreasonable. It's illogical.

This bill, as I say, came in on Tuesday; copies of it were not printed until late Wednesday afternoon. I know of one lawyer, particularly, who sent people up here five times on Wednesday to get a copy; and he couldn't get a copy until Wednesday evening.

I gather that when the bill did get a little publicity in the press that there were hurried meetings, including a supper meeting on Thursday with some lawyers. I haven't been able to identify who the lawyers who attended the meeting were, perhaps the parliamentary assistant will tell me. But there was a hurried meeting of certain outside lawyers who, from time to time, are called upon to advise the minister. Concern was expressed.

I did hear as late as Friday morning, when it was anticipated the bill might be called—it was anticipated on Thursday it might be called at any time, and then on Friday, but the order of business was such that we just didn't get to it until now—that maybe there were going to be some amendments. Well, that's fine. Maybe there were going to be some amendments, but who knows about the amendments? The tiny little clique of lawyers who the minister gathers in secretly over the supper hour on Thursday? They have their meeting and then tell the minister, and then he comes in with amendments. And the amendments, Mr. Speaker, fascinatingly enough, we don't see until the parliamentary assistant stands in his place now and gives us three pages of amendments, which by themselves are not that clear and which by themselves have some doubts. We are expected now, as we are debating the second reading of this bill, to reasonably consolidate all of the thinking—the first thinking, the second thinking, the revisions and the amendments—and to present a reasonable debate.

I say, Mr. Speaker, that this method of carrying on governmental business is a disgrace. The government is ramrodding through, pushing through, using its majority to bulldoze through a very important piece of legislation in the dying hours of this session of the Legislature. And one must conclude they want to deny reasonable public discussion of the principles that are embodied in this bill. They'll get it through; it may take a little longer than they anticipated, but they've got enough votes to get it through. But if the government bulldozer is going to roll on and force these things through without adequate public discussion, then I think it's wrong.

I draw to the attention of the parliamentary assistant a different kind of approach exercised by the Minister of Consumer and Commercial Relations (Mr. Clement). He brought forward a very important bill, an Act to amend the Condominium Act, about which there was very considerable public concern. He had the good common sense to refer it to the standing committee, which sat for two days and heard a great number of representations by a lot of concerned people. Very intelligent and well reasoned briefs were submitted on both sides of that question. The minister in his wisdom, and I say it was in substantial wisdom, decided that at this particular time he was not going to put that Act through the House; he wanted to take back all of those considerations, work them through with his officials and will bring in, he has told me, an amended amending Act to the Condominium Act in the next session.

Now that makes some sense, because the ramifications of the amendments to the Condominium Act are multiple and they are going to affect an awful lot of people in this province. The minister, understanding the concerns of both condominium developers and condominium owners, rightly took the Act back and is going to spend some time reworking his amending Act and bringing in an amending Act which he thinks will make some sense. That minister is not afraid to submit his legislation to ample and adequate public scrutiny.

I want to know specifically, Mr. Speaker, why this bill needs to be passed through in such a rush? After all, we've been here since Oct. 2, and we saw this bill for the first time on Dec. 4 and, if rumour is right, we'll be out of here today or tomorrow.

What is the rush? We are being allocated a few hours today and maybe a few hours tomorrow to debate this very serious bill. The public is going to be denied an opportunity to come before a standing committee and express their views.

This, Mr. Speaker, is quite without any criticism at this moment of the bill. Surely it makes good common sense that a bill as important as this one, a bill that is going to have this kind of effect on the development of all sections of the Province of Ontario, should be allowed to stand the scrutiny of as many people who might be informed about it as is possible. What is the government afraid of? Why are they using these abhorrent tactics to bulldoze this bill through in the dying hours of this session of the Legislature? It makes no sense at all.

Mr. Speaker, I am satisfied that there is no explanation other than it's the usual way the government works, and at the conclusion of my remarks I'm going to present a motion that the bill not be read a second time but that it be read a second time this day three months hence. Quite apart from the principles, some of which the government nibbles at and are good, I think this bill has such significance that it should not be dealt with at this time. I hope a lot of members take part in this debate, and I hope that before this bill becomes law, all of those people who can add to our knowledge and who have some concern are given an opportunity to be heard by the appropriate standing committee.

I'm saying this at the beginning of my remarks because I feel very, very strongly about it. I think the government are acting poorly, I think they are acting arbitrarily, and the fact that they have the power to do that doesn't excuse it. It is a naked abuse of power if they push this bill through now.

Now, Mr. Speaker, let's talk about some of the principles in the bill. The bill has a number of sections that contain separate principles. First, I want to talk about section 4 which is on page 2. You will have to excuse me, Mr. Speaker, if I do extract words out of particular sections, even though this isn't committee of the whole House, because each of these sections embodies a different kind of a principle.

Section 4 amends section 14 by striking out certain words and putting in a new section, and the last 2½ lines of that, I think, are of some significance. They say: " . . . and if the modifications appear desirable to the minister, he shall make such modifications and cause the plan to be amended accordingly."

What that all means now is that after a municipality has gone through whatever process it goes through—planning consultants, planning reports, planning board studies, planning board resolutions, public hearings, examination by the local council of an official plan—finally, through this long and often tortuous process, the municipality evolves or comes forward with an official plan, sends it on to the minister, and then, Mr. Speaker, those last words are certainly a very important series of words—"if modifications appear desirable to the minister, he shall make modifications and cause the plan to be amended accordingly."

So, in the later portions of the bill we are paying great lip service to municipal autonomy, and we are insisting that official plans be put on in municipal areas, and we are saying, "If you don't do it, all sorts of evil things are going to befall you, and we, the government, are going to make sure that they do." Now the government says, if a municipality brings forward an official plan—and as I say, these official plans often can take years to be brought forward properly—it goes to the minister and the minister can, without any notice to anybody, modify the plan to whatever extent he deems proper and that's it. That's it, period.

The minister doesn't have to go back to the municipality and say, "Well, I think you were wrong when you had such-and-such a provision in your official plan." All the minister has to do is sit in his little office and say, "Change. Cross out that and put in that."

The section used to say that the minister shall attempt to arrive at a consensus. I guess the minister found that bothersome. It took time. He had to call people in to argue about what a consensus might be. But now you have simplified it.

The plan appears on the minister's desk and the minister looks at it and if modifications appear to be desirable to him, he shall make such modifications and cause the plan to be amended accordingly. Is that in keeping with the belief about local autonomy? Surely you should at least retain what existed before and have the minister strive to get some local consensus.

All that work on the local level can go out the window if the minister decides that it's no good. It could go out the window unilaterally, and the municipality has no right to consult and the council has no right to have an opinion about the minister's new views. So really, the official planning of the

municipality is solely in the hands of the minister.

I think that's a bad principle, Mr. Speaker, and I don't think the minister should have that power, particularly in these days when apparently we are trying to give more power back to the municipalities. Why does the minister need this new power? What is the purpose of it? Have people frustrated him in his desire to reach this consensus? If so, then there should be a better way.

This kind of arbitrary power being given back to the ministry without any review, without any appeal, without any reference back to the local municipality, is wrong and it's one of the reasons why we are going to move this motion in due course.

It may be, Mr. Speaker, that the minister or the parliamentary assistant is going to say, "Don't worry. We would never do that. We would never amend a plan arbitrarily. We are good fellows." I am not questioning the bona fides of the parliamentary assistant or his minister and I am quite sure neither of them would act in a miserable, arbitrary or dictatorial way.

It is not them we are worried about. It's their successors or even their advisers. The fact is that if there is that power in the statutes somebody can use it when they want to; and that power should not be in the statute, Mr. Speaker. It's a badly principled section inserted there and section 4, as it now stands, should not be a part of the law.

May I say, sir, and probably the minister is aware of this, that the ministry attempted recently—and this really might be the reason this section is in—to amend an official plan substantially without consultation. His view of the word "consensus" was not quite in accordance with the view of the local people as to what "consensus" might be. I am told on very good authority that there is a case either in the court or about to be initiated in the court to determine the significance of the meaning of the word "consensus."

The reason that case is coming about is because the people who are going to be the plaintiffs are aggrieved at the fact that the local view was not the view that pertained. The minister's view apparently is going to be the view that is going to pertain if the minister has his way. The people are going to take the case into the courts and what the courts are going to say eventually, I don't know.

It is a matter of very substantial significance and not a matter that should be sloughed off, and if that is what is motivating the changes in this section of the Act, then I say it is wrong. I say that is very wrong and that previously when the Legislature inserted that idea about consensus, it meant that there should be some consultation backwards and forwards. When the minister takes out that kind of thinking, obviously the meaning must be that there be no such consultation backwards and forwards, and it must be done because the minister has been having some trouble because of the necessity to provide that kind of consensus.

Then, Mr. Speaker, we come to section 7 and the amendment. Section 7 is of particular interest, I understand, to the Attorney General and perhaps I should look a little more in his direction than toward the parliamentary assistant. The whole problem of checker-boarding and the involvement of firms like Whiterock and others has been a most perplexing problem—perhaps one of the most perplexing that has affected people who are concerned about buying land and lawyers who are concerned about advising. The Attorney General's ministry has been in this up to its neck. The courts have been concerned as far as the Court of Appeal—the long reference to the Court of Appeal and the very long judgement about Black Acre and land A and land B and so on.

All of this is very interesting and I am sure the law professors are having great fun about it when they are passing it on to their students. But really it adds very little to the art of conveyancing and to the information available for conveyancers. What we seem to have drawn, Mr. Speaker, insofar as section 7 is concerned, is a blank. We have urged the Attorney General or the appropriate arm of government to come forward with some method of settling these very complicated questions as to whether or not what purported to be a conveyance is, in fact, a valid conveyance.

What is the great wisdom that the ministry now brings forward? It says, "It's still a very difficult problem," and we are going to put it right in the laps of the local municipality. Yes, we are. The ministry isn't going to get involved but the ministry will, on a bylaw passed by the local municipality, pass an order.

This kind of problem has arisen not in the large and sophisticated municipalities, if I may describe them that way—the large municipalities with substantial civil services which have planning directors, their own legal departments and so on. This kind of problem

has arisen in rural municipalities, by and large, and without denigrating the importance of their councils or the intelligence of the members who serve or their civil service advice—not denigrating that for a moment—I suggest to you, Mr. Speaker, that the ability of those local councillors to get adequate advice insofar as the application of this section is concerned is very, very limited.

Most of them probably do not have, as a full-time civil servant, a lawyer who can advise them. When they get involved in the legal problem perhaps they will come down here and ask for legal advice or perhaps they will retain for one matter a local practitioner whose intimate knowledge of the intricacies of the Planning Act is very limited.

Their ability to act on this kind of a problem is very, very limited. Their ability to act properly is very, very limited, as is their ability to assess whether or not the applicant who comes before them has a proper case.

Is the title to the land in question in doubt? That is one of the phrases that is used. Well, who knows whether it is in doubt? Lawyer A may say it is in doubt and lawyer B may say it is fine; and the Court of Appeal adds very little to the resolution of that problem.

Now the local council is going to be asked, "Is the title to that piece of land in doubt?" and the applicant is going to say, "Yes, it is in doubt because I've applied to somebody for a loan. They won't give it to me," or "I've applied for a building permit and you won't give me a building permit," or "I've applied for a number of things and I can't get them." So to my mind, the mind of the applicant, the title is in doubt.

On the other hand, the solicitors who act for Whiterock or any other of the development companies say there is no doubt. I had correspondence from Mr. Wall, I believe —and I read it in the House—who got most incensed at me for suggesting that there was some doubt about the Whiterock titles. He obviously believes they are all good. Other people believe they are all bad. Now, where is the doubt? And is the local council going to have to resolve it?

There is a large lawsuit pending in which the Toronto Star is named as a defendant. It is accused of having maligned the title—

Hon. D. A. Bales (Attorney General): Slandered.

Mr. Singer: —slandered the title to certain property, and that matter is before the court. So again there is a doubt there. The Star is obviously going to say, in defence of the articles it published, it didn't slander the titles because the titles were bad. The people who are suing them are going to say, "You did slander the titles because the titles are good." The courts in due course are going to have an answer. I don't know what the due course is—one, two, three, four years? Is the local council going to assert itself and make this kind of a decision?

Let's get a little ridiculous, because I think this section can be interpreted just as ridiculously as I'm about to suggest. Let's say I signed an agreement to buy one of these checkerboard lots and I walk into council and say, "There is doubt about the validity of my title. Please pass a bylaw." What kind of a bylaw do they pass? Do they pass a bylaw affecting the whole area? Do they pass a bylaw just for me? Do they pass a bylaw affecting all of the titles that are in doubt? Maybe some of them are good and some of them are bad. How are they going to get to know?

On my application to the local council, the council is deemed at least to have the opinion that the title is in doubt. When they say, "All right, Mr. B, we'll pass a bylaw. Who should it apply to?", Mr. B will say, "It should apply at least to me." And they say, "What about everybody else?" Well, I don't know how we resolve that one unless the local council is going to have some kind of judgement that it is going to exercise as to how many are good or how many are bad.

Then the section goes on to say that if the bylaw is passed there can be conditions. What are the conditions? There is no limitation to these conditions. This checkerboarding has taken place, Mr. Speaker, in areas where there are no municipal services. The purpose of the checkerboarding obviously has been to escape the demand for a plan of subdivision, which would provide for local services.

Now, to go back to Mr. B, who is purchasing one lot, the council says, "All right, Mr. B, we need some services there. We need a 60-ft road allowance with a 20-ft pavement on it. It wouldn't be right, Mr. B, to have just a 50-ft frontage on a 66-ft road allowance with a 20-ft pavement on it. Really, to make this sensible at all, we have got to take you from your internal lot all the way out to the highway. So, Mr. B, if you want that bylaw passed, you've got to pay for a road that is going to run all the way out to the highway." That is quite possible.

Or if the local municipality is concerned about water supply and Mr. B has an internal

lot, he is just not going to be able to supply water for himself; he is going to have to hook into some kind of a system that is going to require pipes. Are the conditions going to be that if Mr. B wants to regularize his title, if in fact it is irregular, he is going to have to pay for the whole cost of that watermain? Or are his neighbours going to have to pay? And it is the same with sewers.

So when these conditions can be attached, point one is, how is the local municipality going to come to any conclusion? Point two is, with the permission to attach conditions, no one knows the length and breadth of the conditions or the cost of the conditions. And point three is, what happens if there is a refusal?

I suspect that subsection (4) of the amendment is designed to deal with the refusal, and the refusal apparently now would involve a second kind of an application. So we start over again. If the title to the property is in doubt, a land division committee can then think about it.

So Mr. B goes to the local council—and I would advise any local council purporting to deal with section 7 to run for cover and just not pass any bylaws. I don't think anybody can advise them as to whether or not they should pass a bylaw, whether a title is in doubt and the ramifications that go with it.

But supposing they do that and they say, "No, we're not going to pass a bylaw." Then they go back to the committee of adjustment of the land division committee, which is a local group again, and what happens? They say, "Well, why don't you try a bylaw before the council?" And they say, "Well, we tried that and it didn't work.

All right. If we pass a land division, we have to presume that the title is bad.

An hon. member: Why?

Mr. Singer: Why do we presume? They have to presume. Otherwise they can't deal with it. They're not going to grant a land division if there's no necessity for it. We can attach conditions. Their conditions at least would probably be limited to the subject land. I don't know.

Mr. Speaker, we are certainly all anxious and eager to clear up the problem of checkerboarding—there's no doubt about that at all—but I think the method the government has chosen is a cop-out. I think it's inexact, I think it's unfair, I think it places an unreasonable burden on the local rural municipalities, who are going to find great difficulty in coping with this. I think that the government is standing aside.

After all, the government was responsible for the system that grew up that allowed checkerboarding. I don't say it did it deliberately, but the government has the ability to change the legislation to prevent it, and didn't change it until the horse had escaped from the barn. The barn door wasn't closed until after the horse had gone. So, to that extent, the government is responsible.

Now the government shucks off its responsibility by saying to the local municipalities, "You make the decision, and if your decision comes forward in the form of a bylaw, the minister will pass an order." I think that's wrong. I think there has to be a clear enunciation of principles in this statute as to where the responsibility lies.

I think that people who feel themselves aggrieved should have some forum to which they go where somebody can say, "Yes, you have a good title," or "No, you don't." If you have a good title there's no problem. If you don't have a good title, then the government or somebody else should be able to say, "On terms, we will clear up your title, by a ministerial order if necessary."

And what are the terms? Before we give this the imprimatur of our approval, we're entitled to know what those conditions are, the full extent of them and how burdensome they're going to be on the person applying. Again, let's go back to the position of the local rural councillor who says, "Certainly, Mr. B, we'd like to help you, but we just can't say that you've got a good title inside that whole area that has been checkerboarded and let you go ahead, because you haven't got a road and you haven't got water and you haven't got sewers."

I think there should be some very, very clear indication as to the full extent of the obligation that might be put. How expensive are those conditions going to be? Do they apply to everyone who's affected by the checkerboarding in that area, or don't they? I think these are basic things.

Now, I stress, Mr. Speaker, that we in this party are most anxious to clear up the checkerboarding problem. I've said this dozens of time in this House, and I have followed this matter since it first was raised; and I am very concerned that here we are at the end of 1973 and we still haven't come up with an answer.

Mr. L. M. Reilly (Eglinton): How would the member clear it up?

Mr. Singer: The hon. member for Eglinton has asked how I would clear it up.

I would take the responsibility into government, and I would say, "Yes, we will deal with applications." Because—and that's the point that I was trying to make when I said, really, the government is responsible; not by a deliberate act, but by failure to act and close up a loophole that previously existed. So I think there is a case to be made, insofar as my argument is concerned, that the responsibility should lie with government.

An application should be made, not to the local municipality, but to government. Government should then say, and there should be some power and we can write it in the statute: "Mr. A, you've got a good title; or Mr. B, you haven't."

If he has got a good title, a certificate to this effect clears up that title and it's registrable. If he hasn't got a good title, then there should be a responsibility on government to clear up all of those titles, provided that some conditions are fulfilled and that they are reasonably applied and that no one is going to suffer such a terrible burden that he can't possibly financially afford it.

And then, Mr. Speaker, there is another very important thing. Is there going to be any financial obligation on the individuals or the groups or the organizations that did the checkerboarding?

I think that's a very important thing, because there is no reference here—no suggestion even—that the big checkboarders are going to have to dig into their pockets for even a penny. It's only the individual concerned to whom conditions may be attached.

What I am saying, in reply to the member for Eglinton, is that all of this procedure should be taken back and rewritten, with the emphasis being placed on government responsibility; with an ability to attach fair conditions, limited conditions, and also an ability to attach conditions to those people who were the real beneficiaries of this system.

The people who suffered were the individuals who got caught up in clever advertising; the people who benefited were the people who did the clever advertising. Are they going to be allowed to get out scot-free? I think that's a very, very important test that has to be applied.

So, what I see here in section 7 is that while it goes in the right direction and the idea is a good one—clear up the checkerboarding—I don't think it does it. I think it just invites grief, puts an unfair burden on the local municipality, could frustrate no end—

Hon. G. A. Kerr (Provincial Secretary for Justice): Right. So let them deal with it.

Mr. Singer: Pardon?

Mrs. M. Campbell (St. George): "So let them deal with it." That's what the Provincial Secretary of Justice says.

Mr. W. Hodgson (York North): The way the member for Downsview is going to do it would be unfair.

Mr. R. D. Kennedy (Peel South): How would the province deal with the municipality for services? Does the member ask that the province direct municipalities? A municipality is very much involved.

Hon. Mr. Kerr: The municipality has to be involved in any event.

Mr. Singer: Oh, I recognize that there are several government members who are disturbed by this, and well they should be. But just wait until their local rural council and some of the rural members have this problem. I have talked to a few of them already. Wait until their local rural councillors have this problem, and realize the kind of burden the government is putting on them.

I say it's unfair and I don't think the government is doing any real service to the person who has been hurt, who has got caught up in this scheme and apparently has a bad title.

Mr. Lawlor: I thought the member was for local responsibility?

Mr. D. M. Deacon (York Centre): Yes, but local responsibility doesn't mean pulling out of a mess the province has caused.

Interjections by hon. members.

Mr. Lawlor: Is the member not inconsistent on local responsibility?

Mrs. Campbell: Not one iota.

Interjections by hon. members.

Mrs. Campbell: No, sir.

Mr. Singer: Well, Mr. Speaker, the thrust of those remarks—and I will comment on them—I would think that local responsibility should be a principal approach of this government where the government hasn't dug the local municipality into the grave—

Interjections by hon. members.

Mr. Singer: —where the government hasn't put it in an untenable position and now says: "Bail yourself out."

Interjections by hon. members.

Mr. Singer: And it's too bad if the five local councillors can't figure this out.

Interjections by hon. members.

Mr. Singer: It's too bad if they can't get the adequate legal advice; it's too bad if we're putting a burden on them which no reasonable municipality can be forced to solve. The government says: "We created the problem, now we slough it off to you and we say it's local responsibility."

Interjections by hon. members.

Mr. Singer: I say that doesn't make sense.

Mr. R. F. Ruston (Essex-Kent): Passing the buck.

Mr. Speaker: Order please. Order. I wonder if the hon. member might find this a convenient place to break his remarks and move the adjournment of the debate.

Mr. Cassidy: I've heard of Philadelphia lawyers, but—

Mr. Lawlor: It must be difficult to be a clever lawyer.

Mr. Singer: I don't know if we want an adjournment; but I am prepared to break my remarks, Mr. Speaker.

Mr. Speaker: No. I understand we will be going into a different order of business.

Mr. Singer: Oh, all right.

Mr. Singer moves the adjournment of the debate.

Motion agreed to.

It being 12:30 o'clock, p.m., the House took recess.

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Legislature of Ontario Debates

No. 161



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Monday, December 10, 1973

Afternoon Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 10, 1973

The House resumed at 2 o'clock, p.m.

Mr. Speaker: Statements by the ministry.

PROPOSALS ON MUNICIPAL FINANCING

Hon. R. Welch (Minister of Housing): Mr. Speaker, I would like to advise the House that the Hon. Ron Basford, Minister of State for Urban Affairs, and I signed a master agreement this morning to put the federal Neighbourhood Improvement Programme into effect in the Province of Ontario.

It is my belief that this signing ushers in a new programme of aid to the municipalities of the province, Mr. Speaker, to help improve and conserve residential neighbourhoods.

The Neighbourhood Improvement Programme, to be referred to popularly as NIP, was developed as an amendment to the National Housing Act and follows the federal government's 1968 decision to suspend funding of traditional urban renewal which was then being planned.

The purpose of the programme, Mr. Speaker, is to encourage and support efforts of municipalities in concert with neighbourhood residents, toward the improvement of their physical environment and the development of social and recreational amenities.

Under the programme, the federal government will finance 50 per cent of most NIP activities, the Ontario government will contribute 25 per cent and the municipality involved the other 25 per cent. Low-interest CMHC loans will be available to municipalities to cover up to 75 per cent of their share of the cost.

Eligible neighbourhoods will be selected by local councils in municipalities designated by the province, according to criteria laid down under the programme.

This government is prepared to act immediately to begin NIP activities in 22 municipalities which have indicated readiness to share in the 1973 and 1974 allocation of federal funds for neighbourhood improvement in Ontario.

This list of municipalities, Mr. Speaker, will be put before the Dec. 14 meeting of the Provincial-Municipal Liaison Committee for review and comment by municipal representatives. I would add that the Provincial-Municipal Liaison Committee was fully involved in discussing the terms of the agreement that was signed today.

Mr. J. R. Breithaupt (Kitchener): Is the minister going to undertake to have a NIP before Christmas?

NATIONAL ENERGY CONFERENCE

Hon. W. G. Davis (Premier): I have a very brief statement. I would like to advise the House of a telegram which I sent to the Prime Minister a few moments ago in reply to his call for a conference of the first ministers on Jan. 22 and 23 on the energy situation.

Hon. members will recall that I and my other provincial colleagues have been urging such a conference for some months. In my message to the Prime Minister I have proposed that we take the opportunity, while we are together, to discuss also the current economic situation and outlook. Such a discussion could take place on the afternoon of Jan. 23 and extend into the morning of Jan. 24 when the finance ministers, in any event, have been scheduled to discuss the economic situation.

I believe it is important that we discuss the economic situation at this time not only because of the uncertainty which the energy crisis has given to the economic outlook next year, but also because of the need to assure the citizens of Canada that their governments are co-ordinating their efforts to deal with the problems of price increases.

I believe also, Mr. Speaker, that we should discuss the recommendations of the Economic Council of Canada that the 11 governments must attempt to agree on the aggregate share of the GNP accounted for by the public sector and on the overall objectives of government economic policy in Canada.

As to more specific energy matters related to the agenda, I've indicated to the Prime Minister that our officials would be happy to meet with the officials of the other 10 governments to work out the agenda details.

WITHDRAWAL OF TEACHERS' SERVICES

Hon. T. L. Wells (Minister of Education): Mr. Speaker, as members of the Legislature are aware, there are 17 situations in Ontario in which teachers have submitted resignations to their school boards effective Jan. 1, 1974.

Mr. S. Lewis (Scarborough West): Instead of the Reville report, compulsory arbitration.

Hon. Mr. Wells: In all cases, these situations have developed as the result of a series of negotiations related to salaries and other conditions of employment which have been going on for many months but on which no agreement has been reached.

Members also know, Mr. Speaker, that it is the government's announced intention to introduce legislation next spring governing all teacher-school board negotiations.

Mr. J. E. Stokes (Thunder Bay): Bring it in now.

Mr. Lewis: Bring it in now.

Hon. Mr. Wells: This proposed legislation has been the subject of extensive discussions within the Ministry of Education over recent months—

Mr. D. C. MacDonald (York South): Procrastination.

Mr. Lewis: Delay. We know what the minister is doing. There is a leak.

Mr. R. F. Nixon (Leader of the Opposition): Let him tell us.

Hon. Mr. Wells: —and has involved four joint meetings with representatives of the Ontario Teachers Federation and its affiliate organizations, and the Ontario School Trustees Council and its member associations.

These meetings have proved to be extremely valuable and it was planned to have one further meeting in January with both groups prior to the introduction of the bill.

However, in light of the present situation I believe that it would be helpful to all parties to introduce the legislation for first reading at this time in order that all interested persons may be clearly aware of the main principles that are inherent in it.

It is my hope that, with the proposed legislation in clear view, those involved in the remaining 17 negotiations will be able to move forward toward reasonable settlements before the start of the new school term in January.

Mr. Lewis: Good.

Hon. Mr. Wells: Certainly there will be no reason for any of the present negotiations to bog down because one party or the other is reluctant to move in a particular direction for fear of going opposite to the provisions of our proposed legislation.

Mr. E. J. Bounsall (Windsor West): It'll pass anyway.

Hon. Mr. Wells: In introducing the legislation today I should stress that one of its most basic principles is that the welfare of children must be taken into consideration first and foremost.

Mr. V. M. Singer (Downsview): Yes!

Hon. Mr. Wells: With all sincerity, Mr. Speaker, I say today that I and we cannot allow pupils to be used as pawns in negotiations between teachers and school trustees around the bargaining table.

Mr. J. F. Foulds (Port Arthur): Neither can the ceilings.

Hon. Mr. Wells: Education may not be universally considered an essential public service in the sense that it affects the daily health and well-being of all citizens. Nevertheless, I feel that it would be morally wrong to allow our young people to be victimized by school shutdowns, with resultant disruption in the educational process, just because a school board and its teachers cannot reach agreement on a contract.

Thus the legislation being tabled today contains provisions for the use of binding arbitration to settle all disputes where the negotiation process fails to bring about an agreed settlement within a specific period of time.

Mr. MacDonald: Just as the government did with the hospitals a few years ago.

Hon. Mr. Wells: This legislation embodies a number of other important principles in keeping with this basic premise. These include: (1) The need to create an atmosphere that allows for free collective bargaining be-

tween teachers and school boards. (2) The right of teachers to negotiate terms and conditions of the employment as well as wages and fringe benefits.

Mr. Bounsall: This bill doesn't help.

Hon. Mr. Wells: (3) A planned schedule of meaningful negotiations on the part of both teachers and school boards, including the use of mediation where required. (4) The involvement of third parties and provincial associations by either teachers or school boards to assist in negotiation where that is deemed appropriate. (5) The establishment of a provincial education relations commission to oversee the details of the bargaaining process as specified in the legislation, such as the appointment of mediators and arbitrators.

The bill also makes it mandatory for school boards to establish teacher-board relations committees to ensure ongoing discussions between teachers and school board members on any educational matter of mutual concern.

Mr. Speaker, in introducing this legislation today, it is not my intention that it shall proceed through the House during this present sitting. It will be reintroduced when the House convenes in the new year and at that time it is my intention to send it to the standing committee on social development for full discussion and consideration.

The procedure that I have just outlined of reintroducing and sending the bill to the standing committee—but introducing it now, Mr. Speaker, for first reading—has been discussed with both the Ontario Teachers Federation and the Ontario School Trustees Council. We did this particularly, Mr. Speaker, because as I indicated earlier, my commitments were really to another meeting in January before the bill was introduced.

The Ontario Teachers Federation is in full agreement with the introduction of the bill at this time, and while all members of the trustees' council have not expressed agreement, the general attitude was that introduction of the legislation at this time would enhance close public scrutiny of its various features.

May I repeat that our primary purpose in introducing the bill at this time is to give those persons now involved in negotiations full information regarding our intentions. There can now be no excuse for negotiations to be hung up on discussions relating to working conditions, for example, when our future courses of action in regard to such matters are now clearly known.

It is my sincere hope, Mr. Speaker, that with this information now at hand, present negotiations which are continuing in 17 localities throughout the province will proceed expeditiously to reasonable and successful settlements over the next three weeks.

The introduction of this legislation does, however, place us in a unique position with regard to those remaining 17 negotiations. It would be shortsighted and ludicrous for us to state that early in the new year we will re-introduce a major bill which will avoid school closures due to contract disagreements—and then to permit the present 17 situations to proceed precisely in this direction. This is particularly true when it is remembered that potentially up to 176,000 pupils could be out of school in early January, should agreements not be reached at that time.

Thus, to be consistent with our basic principles, I am also introducing today for first reading, a less detailed interim bill designed to bring our basic intentions to bear upon any teacher-school board negotiation which has not reached a successful conclusion by Jan. 1, 1974.

This bill voids any mass resignations and stresses that all schools must resume normal operations in January. At the same time, a process of binding arbitration will be initiated in those remaining situations where agreements have not been reached.

Free collective bargaining between teachers and school boards in these 17 localities has been in progress since last spring. This interim bill being introduced today permits a further three full weeks for the process to continue, during which time we will offer all possible assistance, including mediation, should both parties request it.

It is entirely possible, of course, that all of the 17 disputes will have been resolved by Jan. 1, in which case this interim bill would not come into direct play.

In any case, the bill will become void in October, 1974, by which time we hope that the larger legislation will have been passed and will take effect.

Mr. Speaker, let me stress in conclusion that our primary motive in all of this legislation, while guaranteeing equitable and fair teacher-board negotiations and settlements, is also to ensure that pupils do not become innocent victims as a result of an impasse at the bargaining table. Mr. Speaker, we cannot in all conscience allow this to happen.

GO-URBAN SYSTEM

Hon. G. R. Carton (Minister of Transportation and Communications): Mr. Speaker, recent statements by various local politicians and special-interest groups about the GO-Urban transit system have expressed some doubts as to its capability to serve the public transit user in our major urban areas.

Our selection of GO-Urban for testing and demonstration is complementary to our continuing programme of sponsoring advances and development in all forms of public transit. Go-Urban best met the operational and environmental criteria that we set for an intermediate-capacity mode, and provides in our judgement one of the most significant advances that will enable public transit to effectively provide the highest standard of service required by the urban public.

In light of the present doubts by those I mentioned, I would like to read a memorandum received by my deputy minister from Mr. W. H. Paterson, former general manager of subway construction for the Toronto Transit Commission. Mr. Paterson is an acknowledged leader in the public transit field, and is presently advising a number of US cities, among them Atlanta and Buffalo, in their transit programmes. He has also been asked to lead a number of international advisory groups in public transit.

He is chairman of the technical and operating committee of the Institute of Rapid Transit, and a past president of the Toronto Railway Club. Furthermore, in 1972 he was awarded the Association of Professional Engineers of Ontario's gold medal, the society's highest tribute, for his significant contribution to the interests of profession and public in rapid transit.

This letter, which I am about to read, Mr. Speaker, has also been sent to the chairman and commissioners of the Toronto Transit Commission. It is dated Dec. 6, 1973 and is addressed to my deputy, with copies to the chairman and commissioners of the TTC and others:

With respect to the recent critical comments appearing in the public press with respect to the ministry's GO-Urban proposal, I would like to submit the following comments. They are not necessarily in the order of importance:

1. GO has been referred to as a monorail. It is not a monorail in the sense usually accepted.

Over a period of years, there has been a public demand for a greater use of a so-called monorail. Throughout the development of the Toronto subway system we were frequently criticized for building subways when we could build monorails that were alleged to serve the public better and at less cost. The monorail for some reason had an appeal to the public. This may have been because it was new and different. At the TTC we resisted these demands because of several basic shortcomings in the design of all the so-called monorails. One of the basic shortcomings was the provision of suitable switching arrangements. With all of the monorails proposed it was necessary to switch the structure to switch the track. This basic problem is overcome by the Krauss-Maffei system.

2. Another factor was safety of operation. Several of the so-called monorails employed a vehicle equipped with rubber tires operating on a concrete track.

Whether the track was concrete or steel, if the vehicle was equipped with rubber tires, it is well known that the rubber will slip or skid on a wet surface. This skidding or sliding results in an unpredictable, or at least a very serious, variable in braking distances in trains travelling on wet or snow-covered tracks. This problem does not exist in the Krauss-Maffei system. One of the great advantages of the Krauss-Maffei system, and of all linear motor propulsion systems, is the fact that a vehicle propelled by a linear motor has braking and acceleration characteristics completely independent of track conditions.

3. Many of the so-called monorails were suspended—that is, they hung from a track which ran above the car along a guideway. All suspended systems that I have observed have a problem with side-sway. The only system of this type to my knowledge in regular revenue passenger service is in the Valley of the Wupper River in Germany. It has operated successfully for close to 70 years but because of this difficulty in controlling side-sway the trains slow down for curves and on entering stations. This characteristic has also been apparent in more recently developed systems of this type. However, this suspension problem does not occur in the Krauss-Maffei system.

4. Because of the foregoing and for other reasons, we at TTC resisted public pressure to build so-called monorails. We knew that the streetcar was a good vehicle but its use on public thoroughfares was frequently, if not regularly, criticized. Its use on private rights of way, including subways, was investigated but these investigations were not encouraging. The cost of building a grade-separated, fully signalled right of way for a streetcar system proved to be comparable with the cost of a full subway system.

At the present time, a segment of the public is supporting streetcars but this does not change their basic characteristics.

5. During all these years of development and discussion of the merits of various modes of transportation, the transit industry has been looking for what is generally referred to as an intermediate-capacity system that is acceptable in today's urban areas.

Such a system would have a vehicle with propulsion and guidance system that would provide safe, attractive transportation in the urban environment and carry in the order of 20,000 passengers per hour. The system desirably would have characteristics that would be sufficiently convenient as well as attractive to induce the travelling public to select it as a means of transportation rather than the private automobile. Desirably, it would be acceptable by non-users as well as by users.

The streetcar is no doubt efficient, but any steel-wheel, steel-rail operation results in some noise and in some vibration. It is not difficult to recall the constant and serious complaints about the squealing of PCC cars on the Jane loop before

it was abandoned. Steel wheels squeal on curves and there is no sure cure to this problem, to my knowledge.

6. Being fully aware of the need for an acceptable form of intermediate-capacity system (it is needed in many cities in Canada) and being familiar with the shortcomings of the so-called "monorails"—and of conventional equipment—I pursued the possibility of applying linear motors to traction vehicles for many years. This pursuit involved reading literature on current developments, which were few, and visiting Dr. Barwell in London, England, who at that time was in charge of electrical research for British Rail and was working with Prof. Laithwaite, who was doing successful experimental work on the linear motor at Manchester University.

On the occasion of my last visit and discussion with Dr. Barwell before he returned to university work, he advised me, and I still remember his words: "We have this problem licked technically and it now becomes a commercial problem."

7. Subsequently, Prof. Barthalon at the Ecole Central Lyonnaise developed a prototype linear motor-propelled vehicle that operated successfully at the Ecole Central Lyonnaise. The vehicle was small but it operated safely and was quiet. It was supported on an air cushion.

8. Now we are about to see a small car propelled by a linear motor and thus free from any moving parts that cause noise and vibration. It is to be supported magnetically and thus avoid both the noise and higher power consumption of an air cushion. Its design will permit the use of vehicle and system controls that have become available through "space-age technology." These controls are at this time moving from development and design stage to the applied engineering stage.

There is no doubt that a great deal is to be learned from the CNE experiment, but this is exactly the right way to go about it. Following the CNE experiment a full-scale, full-service operation can be undertaken. No doubt there will be problems and difficulties but these will be overcome, and as a result of all this, Toronto will maintain its position as a leader on this continent with respect to urban transportaion.

9. Some 25 years ago, very few people in Toronto were convinced that the urban transportation problem could not be solved by building more highways and using more buses and more automobiles. Those who placed their confidence in the development of a subway system to replace the streetcar system were few and were frequently scoffed at.

I mention this simply to emphasize the fact that any effort to break out of the comfortable rut of generally accepted practice is always subject to attack.

Today we have a number of critics condemning an action being taken by a minority just exactly the way the subway was condemned 25 years ago. It is difficult to imagine what would have happened to Toronto if the Toronto Transportation Commission at that time had not succeeded in building the Yonge St. subway.

Right now, Toronto and Ontario are on the verge of another demonstration of leadership in urban transportation.

There is no doubt the streetcar was and still is a good vehicle and will be used effectively in developing a total transportation network, but we must constantly strive for improvements.

The linear motor-propelled vehicle which is being developed in several parts of the world is bound to go into service operation somewhere, where some authority has the courage and resources required to do the necessary development work which must precede service application.

Signed,
W. H. PATERSON

Mr. A. J. Roy (Ottawa East): Where's the background for this? Show the slides. Let's have some background music; it sounds better.

Mr. Singer: I can see why he retired from the TTC.

Interjections by hon. members.

Mr. Breithaupt: Any other opinions on the subject?

Hon. J. A. C. Auld (Minister of the Environment): There are some longer ones too.

BRANTFORD EXPRESSWAY

Hon. Mr. Carton: Mr. Speaker, early this year, the Brantford city council and the citizens of Brantford requested an open public discussion on the proposal to construct a second stage of the Brantford Expressway.

Mr. M. Cassidy (Ottawa Centre): Oh!

Mr. I. Deans (Wentworth): This is not the last day, the minister should know.

Hon. Mr. Carton: As a result of these requests, my ministry retained Dr. Karl Berger to conduct public hearings in Brantford and report his findings to me. Dr. Berger's terms of reference were very explicit, calling for him to ensure that all individuals and local groups were allowed to express their views.

Concurrent with Dr. Berger's public hearings, my ministry carried out a review of all of the data used in the planning of the Brantford Expressway. The ministry review found that current forecasts indicate a 1991 population of 89,200 for Brantford as opposed to an early projection of 101,600.

The review also indicated areas of lower-than-anticipated residential growth to be in the southwest sector of the city and the northeast sector. One of the major concerns expressed at the hearing related to the uncertainty of future growth and development in the community. In this connection, I would like to say that I have been informed recently by Mayor Bowen of an announcement by a major industrial concern to carry out a multi-million-dollar expansion programme in northeast Brantford.

It is evident from Dr. Berger's hearings that many of the citizens of Brantford are willing to accept a lower level of service for the automobile in order to preserve other community values. At the same time, we are cognizant of the concerns for future transportation facilities as expressed by the local elected representatives.

Upon consideration of Dr. Berger's report on the public hearings and the technical review carried out by my ministry, it is the view of the ministry that the need for the extension of the expressway is not justified at this time. Rather, it has been decided to proceed immediately with a two-lane arterial Brantford southern access road. The design and construction of this facility, including required grade separations, will be carried out in co-operation with the city of Brantford.

The decision to provide this road now within the same corridor is based on the following points: That while it provides a lower level of traffic service, it is, in the ministry's opinion, adequate to meet the needs of Brantford; that the necessary property for this design is, for the most part, already acquired; that it imposes minimal constraint on possible future land-use development; and that it provides the capability to minimize the impact on the surrounding areas through such measures as landscaping and earthworks.

My ministry will continue to co-operate with and encourage the city of Brantford, to pursue the optimization of existing transportation systems. Such measures as intersection improvements, traffic-signal synchronization and new parking policies are some of the solutions to be considered.

Mr. Speaker, I was most encouraged and impressed with the degree of active community interest as reflected by Dr. Berger's report. The large number of citizens who took a direct interest in the hearings was certainly impressive.

Dr. Berger has prepared a verbatim transcript of the hearing proceedings, a digest of the issues using the words of the speakers, and a summary of the digest which retains, as closely as possible, the words of the speakers. I am now tabling copies of the verbatim transcript, the digest and the summary reports. Copies of the summary are available to members of the Legislature and the public, as are limited numbers of the verbatim transcript and digest reports.

In closing, Mr. Speaker, I would just like to add that the cost of Dr. Berger's services and members of his staff was $4,000, which in my view is justified by the response and intelligent input by the citizens of Brantford.

Mr. Speaker: Oral questions.

The hon. Leader of the Opposition.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. R. F. Nixon: Mr. Speaker, I would like to ask the Minister of Education if his statement that the bill which he intends to introduce in a few moments for first reading and which he does not intend to proceed with, is a reflection of the views of the teachers' professional organizations and the trustees' council, or whether he can indicate to us where their views differ from the principle of the bill that he is putting forward?

Hon. Mr. Wells: Mr. Speaker, does it reflect the views? I think the answer to that is no, it doesn't reflect the unanimous views. It is not a bill that has been arrived at after discussions with them where they have all agreed that this is the procedure. Some of the things in the bill I think do reflect agreement, but I would say that on some of the other things there are different opinions about those sections of the bill. There has been good discussion with them, but eventually we had to come down one way or another and we have done that in the bill.

Mr. R. F. Nixon: Supplementary: Is the minister not concerned that he is leading the negotiations with the teachers into the same impasse that we have experienced with the hospital workers, where we will not allow a strike to take place and yet we apply a ceiling where arbitrators, establishing what are apparently fair salary levels, find that their salary levels cannot in all cases be implemented because of the imposition of budgetary controls and ceilings, as in the case of the Ministry of Education at the present time?

In other words, does the introduction of this principle carry with it the abandonment of the ceilings applied, as we have understood them, in the last two years, giving the boards of education the freedom to implement the arbitration findings when they do come forward?

Hon. Mr. Wells: No, Mr. Speaker, it does not represent an abandonment of the principle of ceilings as we have known them. It is my belief that the ceilings are adequate

to allow for equitable settlements. Certainly, as long as ceilings, such as the 1974 ceilings, take into account the inflationary rate in our economy and things like this, I think there is enough money there for boards and teachers to be able to negotiate fair and equitable settlements. I think that if the hon. member wants an example all he has to do is look at what happened in Metropolitan Toronto.

Mr. R. F. Nixon: Supplementary: Is the minister not aware—

Mr. Speaker: I think perhaps the second supplementary should be from the other party.

Mr. Lewis: Since the minister is introducing—which we applaud—for first reading the general legislation, including a provision for binding arbitration, and since the House has already indicated to him it would be willing to be called back in January if he needed it, why then does the minister introduce a specific bill on compulsory arbitration, weeks in advance of the event, when he is already protected by what has been said in the House, and thereby do severe damage to the negotiations that are taking place?

Mr. R. G. Eaton (Middlesex South): Just like right now; where are your members?

Hon. Mr. Wells: Mr. Speaker, I of course differ with my friend on that. I think that having put on the table for first reading, as we will be doing, the bill which states the principles that we certainly feel, as a government, should apply to teacher-school board salary negotiations—

Mr. Stokes: Then let them settle it.

Hon. Mr. Wells: —it becomes needless to call the House back some time after a school closing may have taken place. I think that in this particular case we have to—

Mr. Lewis: Why have collective bargaining, then?

Hon. Mr. Wells: —we have to state at this particular time that our principles will stick in these particular situations.

Mr. Lewis: Well, we are sure they will.

Mr. Singer: Supplementary, Mr. Speaker.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: When the minister referred in his statement to "working conditions," does he define working conditions in either of the bills he was discussing or does he delineate what working conditions are negotiable, or is the word just left by itself?

Hon. Mr. Wells: Mr. Speaker, we do not; we use the words "terms and conditions of employment."

Mr. Singer: It is not defined, in other words.

Hon. Mr. Wells: It is not defined.

Mr. Speaker: The hon. member for Port Arthur.

Mr. Foulds: Should any of the 17 situations not be resolved by Jan. 1, will the arbitrators be allowed to pierce the ceilings, or will teachers, in fact, by the minister's emergency legislation which he is going to ram through this week, be subject to wage controls? Doesn't the minister find that incongruous and discriminatory, particularly against elementary teachers, when he widens the gap between elementary and secondary ceilings of the grants?

Hon. Mr. Wells: Mr. Speaker, I don't think that the settlements will pierce the ceilings, and certainly this will not be possible if—

Mr. Foulds: Then the minister is introducing wage controls.

Mr. Lewis: Then he is doing to the teachers what the government did to the hospital workers and he is doing it in advance.

Hon. Mr. Wells: The settlements have to be within the ceilings except with the provision which I have already given. My friend from Port Arthur I think knows, and his friend from Thunder Bay knows, that special instructions have gone out to the boards in northern Ontario, because we are very conscious that some of the boards in northern Ontario—and some of these disputes are in northern Ontario—with special problems, will all be looked at individually and very carefully to see if, in fact, they are getting fair treatment. I make that exception because we have already said this to each of the boards in northern Ontario.

Mr. Breithaupt: Supplementary.

Mr. Speaker: The hon. Leader of the Opposition. Four supplementaries have been permitted, which is reasonable, I believe. The hon. Leader of the Opposition.

BRANTFORD EXPRESSWAY

Mr. R. F. Nixon: I have a question of the Minister of Transportation and Communications for clarification. His statement pertaining to the Brantford Expressway indicates that the city will continue, with the support of the ministry, to acquire a right of way, not for a four-lane throughway, but a two-lane throughway along the alignment they had previously agreed upon. If that is the correct understanding, can he give us some indication of the decrease in cost, if any, and the proposed time of completion?

Hon. Mr. Carton: I don't have the dollar figure here, but there is a considerable decrease in cost, and the property, Mr. Speaker, has already been acquired in the main.

May I clarify this? If the hon. leader is referring to the glebe lands, the Indian lands, there is, in fact, presently a 66-ft right of way that is owned by the city over these lands. It is owned by the city presently. This would enable the two-lane arterial road to be built, if necessary, along that particular right of way.

Mr. R. F. Nixon: Supplementary: Can the hon. minister tell the House if, in fact, the land acquisition would be sufficient to accommodate a four-lane right of way, as it has been in the other areas; and if the alignment will have to be changed so that it will be able to go through the Indian lands along the right of way that had been previously negotiated but which does not serve the alignment of the proposed road.

Hon. Mr. Carton: Mr. Speaker, all I can advise the hon. leader is that the 66-ft right of way that is presently owned will be able to be utilized for the two-lane arterial road.

Mr. Speaker: The hon. Leader of the Opposition.

DAYLIGHT SAVING TIME EXTENSION

Mr. R. F. Nixon: Mr. Speaker, I'd like to ask the Minister of Energy if he has made any recommendation about daylight saving time. It has been raised previously, but in light of the fact that the United States is going forward with across-the-board daylight saving time, is it his intention to make a similar recommendation here?

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker I have not made any recommendation at all. I hope that we will have completed some studies this week and will be in a position to make a recommendation at that time to the government. My guess on the basis of what we are able to find out is that it would be either a marginal plus or minus or probably a neutral saving on energy.

If that is the case, then there are obvious economical implications in terms of industrial time-tabling, in terms of television, radio, transportation schedules, stock exchanges and so on, which the government as a whole, I think, would want to take note of. I would hope that this week we would be able to indicate to the government what our findings are in terms of energy.

Mr. Cassidy: There are a few social advantages in it.

Mr. Speaker The hon. Leader of the Opposition.

ORILLIA HOSPITAL SCHOOL

Mr. R. F. Nixon: I have a question of the Minister of Health. Has he any comment to make or has he undertaken any specific investigation relating to the stories that have appeared in the Toronto Sun the last two Sundays referring to the situation at the Orillia Hospital school?

Hon. R. T. Potter (Minister of Health): Mr. Speaker, it is true that we have an ongoing study of conditions in our hospitals, and we had brought to our attention some months ago some charges of misconduct of some of the staff at the hospital. We have had inquiries going on by the ministry and by members of the staff.

As was pointed out in the Sun, I believe it was a week ago today and again today, the board is sitting very shortly to hear one case which has been brought to our attention. Until we have the report of the board, we really don't know what the situation is.

I think the hon. member will appreciate that one of the problems facing us with this type of charge is to get evidence to substantiate the charges since members of the staff are very reluctant in many cases to report other members of the staff. This in spite of the directives that we have sent out to the staff advising them that it is their responsibility to report any cases to management, and indeed that we would consider that they were just as guilty as the individual who perpetrated the offence if they didn't report it.

We are trying the best we can to track all these down, and this is one of the reasons for the hearing we are having next week.

Mr. R. F. Nixon: Supplementary: Since the alleged mistreatment must surely leave specific evidence on the students at the hospital school, has the hon. minister undertaken to send in impartial medical observers —medical observers from outside the school itself—to examine the students for any evidence before that evidence would appear as a natural course?

Hon. Mr. Potter: Mr. Speaker, this was brought to our attention because of putting, shall we say, neutral people into the hospital during the summer months. One of the problems after the act is to try to determine the cause of it. I think the member will be aware that in institutions of this type it is sometimes very difficult to determine whether some of the injuries are due to another individual or whether they have been self-inflicted. These are problems that are going on all the time.

I'm sorry I don't have it with me today, but it is rather ironic this should come up today; a week or 10 days ago I had a letter from a mother whose son is a patient at Orillia and Aurora, and has been for 20-odd years, and she was pointing out the tremendous changes that have gone on over the past few years and the fact that everyone was so kind to her son. I have tried to track these down, and I am hoping to have an interview with her myself and some of the other people—to find out just why there should be discrepancies in the opinions of different people.

Mr. R. F. Nixon: A supplementary: If the minister is going to interview that lady personally, is he going to interview this Mrs. Anglin whose son has been there for 22 years and who has indicated so clearly that she is concerned about the evidence of mistreatment which is really quite horrifying in its allegations?

Hon. Mr. Potter: As I say, Mr. Speaker, I am anxious to speak to several people. I can't say right now who they will be but I am anxious to speak to anyone who has anything to offer, to try to clarify the situation.

Mr. Singer: By way of supplementary, Mr. Speaker, does the minister feel that it is necessary that conclusive proof be obtained pinning responsibiltiy on an individual staff person? Is it not possible that, if there is evidence of some mismanagement or improper treatment, some of these things could be cleared up in advance and before specific responsibility is allocated? In other wards, does he need to prove conclusively that staff member X has behaved improperly? Couldn't he clear up some of the procedures there or put in some new staff well in advance of convicting somebody?

Hon. Mr. Potter: Mr. Speaker, as I said earlier, this is exactly what we are trying to do; trying to improve situations in hospitals and trying to make changes which will, in fact, prevent such things going on. By the same token there is no way we can convict an individual or suggest that he is to blame for some crime unless we actually have the evidence to support it.

Mr. Singer: I accept that.

Mr. R. F. Nixon: We are concerned with protecting the children.

Hon. Mr. Potter: So am I.

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

Mr. R. F. Nixon: No, Mr. Speaker.

Mr. Speaker: The hon. member for Scarborough West.

NATIONAL ENERGY CONFERENCE

Mr. Lewis: A question of the Premier, Mr. Speaker. When the Premier goes to the energy conference in Ottawa on Jan. 22, what proposal will he carry with him from Ontario on the route for the extension of the pipeline to Montreal?

Hon. Mr. Davis: Mr. Speaker, I am not sure that has been determined or whether, in fact, we will specify a route to Montreal. When this position is made known I think it is the kind of information I would be quite prepared to share with the members prior to that. I haven't made any determination yet as to whether or not Ontario will make this presentation at the conference itself. There have been some discussions by the Minister of Energy who has some views on this. In fact, I understand some things were reported in northwestern Ontario over the weekend. Until the agenda items are settled, I haven't made any determination.

Mr. F. Laughren (Nickel Belt): Wend its way.

Mr. R. F. Nixon: Whose views were reported?

Hon. Mr. Davis: I am not sure. I heard this morning that there were some reports from the northwest which might be raised by the member from that area here today. All I am saying is that the agenda items haven't been settled yet and nothing has been finalized.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: A supplementary, Mr. Speaker: Will the Premier or the Minister of Energy assure that such pipeline will be constructed through Ontario so that we can protect the source and an adequate supply particularly for people in northwestern Ontario who are paying much too high a price for their oil and gas at the present time? Will the minister assure the people of northwestern Ontario that we won't have a repetition of the 1956 debacle?

Hon. Mr. Davis: Mr. Speaker, I think the question, as it relates to specifics, should be more properly directed to the Minister of Energy. As a matter of general policy and personal approach I think that anything which has an effect of this kind should go through the Province of Ontario. I can recall some of the debates which went on several years ago and I think that was the position taken by the province at that time, so I would say in general terms, yes.

As it relates to exactly where within the Province of Ontario we might suggest it go, if the member would like to direct the question to the Minister of Energy he might have further observations to make.

Mr. Lewis: I would be interested to know what representations are being made, if any, to have the pipeline through Canada.

Hon. Mr. McKeough: Mr. Speaker, very strong representations have been made to the cabinet, if I can remember them all, by the hon. member for Fort William (Mr. Jessiman) about two weeks ago, I think; and the hon. member for Sault Ste. Marie (Mr. Rhodes) and the hon. member for Algoma-Manitoulin (Mr. Lane). They have been in touch with members of the cabinet two or three weeks ago, indicating strongly that consideration should be given to the pipeline through northern Ontario as opposed to through Sarnia.

I think we're talking about three different things: The desirability of extending the pipeline for a very long way from western Canada and north of Lake Superior, or two perhaps easier alternatives, either extending the pipeline from Sault Ste. Marie or from Sarnia.

Obviously, from our point of view, we would very much like to see the route be as all-Canadian as possible in terms of security of supply and in terms of the economics of construction in Canada.

The point that has to be borne in mind, however, is that in our view one of the reasons for building the pipeline is that it may have a potential—hopefully will have a potential—to reverse from whatever may be found in economic quantities off the east coast; then the pipeline would be in a position to pump some of that material from east to west rather than crude coming from western Canada into eastern Canada. That being the case, the obvious market for eastern Canada crude would be Montreal, of course, but also Toronto, London, Windsor, and Sarnia.

A pipeline across northern Ontario to Sault Ste. Marie in terms of a reversible pipeline would, with great respect to the people from that part of the world, be heading in the wrong direction in terms of markets and so on.

Nevertheless, there are meetings going on at this moment between officials of the government of Canada and officials of our Ministry of the Environment and our Ministry of Energy, discussing in a very preliminary way the considerations which we think should be taken into account, listening to the points of view which the federal government will make in terms of both energy and the environment.

We, of course, are offering to the government of Canada and to Interprovincial Pipelines the fullest use of our rights of way, be they Ontario Hydro or whatever existing rights of way there are in either location to facilitate the building of the pipeline.

Mr. MacDonald: Supplementary, Mr. Speaker: In view of the fact that members of the New Democratic caucus made representation to the cabinet through this government in 1965 or so with regard to a pipeline that would go through the north and meet the needs of Thunder Bay through to Sault Ste. Marie, and in view of the fact that we have discovered in recent months that if the pipeline goes through the United States, even though it is our oil and going through bonded, it may be cut off or there may be a tax put on it—well, the minister shakes his

head. Has he any assurance from Ottawa that they're going to use this occasion to complete an all-Canadian pipeline rather than once again going through the United States?

Hon. Mr. McKeough: Well, Mr. Speaker, I suppose the first point that has to be made is that I'm very interested to hear that the New Democratic Party made representation to this effect in 1965–

Mr. MacDonald: I'll send the minister a marked copy of Hansard.

Hon. Mr. McKeough: Well, I would be interested in seeing it.

I would just say that we on this side of the House will make up our own minds. We're not federal Liberals who are going to be persuaded by New Democratic Party members.

Interjections by hon. members.

Mr. MacDonald: Is it this government's decision?

Mr. Stokes: Supplementary: Does the minister not think this is too important an issue to play petty politics with?

Interjections by hon. members.

Mr. Stokes: And, as a further supplementary, does the minister not think that the position taken by this government in 1956 on this issue is still valid today?

Interjections by hon. members.

Mr. Lewis: Maybe he doesn't have to answer that.

Hon. Mr. McKeough: Mr. Speaker, let me answer two or three of the points that have been made. Certainly we would favour an all-Canadian pipeline. Certainly we favour getting on with the job as quickly as possible. Certainly we very much favour taking into account the potential of finding crude by Canada off the east coast and getting that crude to Canadian markets. And it's not just as simple as to say, let's take it through a Canadian pipeline through northern Ontario, which would not have the potential of being a reversible pipeline.

So far as playing politics is concerned, that group over there plays more politics with the future of this country than any other group I know.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. MacDonald: We've now got the policy the government agrees with anyway.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): How does the member for Thunder Bay like that?

CLOSING OF GASOLINE OUTLETS

Mr. Lewis: Sensing a weak flank, I will move to the Ministry of Industry and Tourism. Since the minister is clearly in favour of free enterprise and allegedly in favour of the small businessman, what is the minister going to do about the independent gas retail operators who are being forced out of business by the multinationals, either directly through a cutdown of supply from the multinational or through an intermediary? Will there be any special help for the independents as these major corporations rationalize them out of existence?

Mr. J. H. Jessiman (Fort William): Maybe the same as the member's father is doing in Ottawa.

Mr. Roy: The minister mustn't let the members call him a weak flank.

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, as far as the independent retail gasoline merchants are concerned, their negotiations have not been taking place with the Ministry of Industry and Tourism but through the Minister of Consumer and Commercial Relations (Mr. Clement) because of their contract arrangements. I would expect, Mr. Speaker, that the petroleum companies which have entered into arrangements with those independent merchants will honour their contracts and their commitments to them.

The hon. Minister of Labour (Mr. Guindon) has been going through those very difficult days himself with his own firm with a large international petroleum company.

Mr. Roy: Has he got a company?

Hon. Mr. Bennett: We have not got control of the international petroleum companies; they have the right to enter into agreements. Things were going good for the small independent retail merchants; they were taking full advantage of it and I give them full marks for it.

Mr. Foulds: Going well. Please use the adverb.

Hon. Mr. Bennett: I understand from talking with independent merchants in the city

of Ottawa that they are still able to enter into contracts, not so favourably as far as price is concerned.

Mr. Lewis: A supplementary, may I? Just one. Is the minister aware that in Simcoe county alone some six small businessmen engaged in independent retailing of gas may well be forced out of business in the very near future? They are supplied by Peacock Petroleum, based in Barrie, whose source of supply from Texaco has been severely cut down and all of these businesses plus a number of others are in serious jeopardy. Is there any way that the government can intervene to look at the way in which the multinationals are rationing gas and rationalizing the dealerships in order to have the gas level settle at a price, for the brand names, far higher than many of the independents?

Hon. Mr. Bennett: Mr. Speaker, I'd be glad to look into the situation indicated by the leader of the NDP but let me go one step further. Most of the independent petroleum operations entered into 12-month contracts with the large international firms and in the late months of the year they have consumed all of the commitment which it was indicated would be supplied to them. Some of them are now trying to negotiate for a further supply of petroleum. In some cases it is not forthcoming but if it is it is at a rate considerably higher than that called for in the original contract. If the leader of the NDP wishes to supply me with the names of the people and so on, we will be pleased to contact them and find out exactly what is involved.

Mr. Lewis: What is involved is the destruction of small businesses.

Hon. Mr. Bennett: I would indicate clearly it is rightly the latter that I have spoken of.

Mr. MacDonald: A supplementary question, Mr. Speaker: I was most interested in the minister's comments. Since Sun Oil has recently opened up a new station on Mount Pleasant, selling at bargain prices—48.9 cents; just less than one cent over the wholesale price to its own franchised dealers in the same area—and has therefore upset the whole market, will the minister inquire into this kind of dog-eat-dog, Chicago gangster kind of free enterprise operation?

Interjections by hon. members.

Mr. J. M. Turner (Peterborough): The member wants a guaranteed—

An hon. member: He wants to know the price—

Interjections by hon. members.

Mr. Speaker: Order.

An hon. member: Does he want to know what question he asked?

An hon. member: Never.

Hon. Mr. Bennett: Mr. Speaker, maybe the latest speaker knows a little more about Chicago gangsters than I do.

Mr. MacDonald: That is the free enterprise system in the oil business.

Mr. Foulds: He is wearing the right suit for it.

Hon. Mr. Bennett: I would say that Sun Oil Co., I believe, not only in this part of Ontario but across the province has been leading some of the irregularities in pricing of gasoline. I have no control over what Sun Oil decides to sell its petroleum for.

Interjections by hon. members.

Mr. Lewis: The minister might think of exercising it.

Mr. MacDonald: This is a new contract when gasoline is presumably in short supply.

Hon. Mr. Bennett: One point is that I think we have a commitment to make sure that the retail outlets are supplied with the amount of petroleum they contracted for at the price for which they contracted.

Mr. MacDonald: This is new within the last short few weeks.

An hon. member: What does the member want? A price freeze?

Mr. Lewis: A question, Mr. Speaker, of the Provincial Secretary for Resources Development.

Mr. MacDonald: I don't want them to—

Mr. Speaker: The hon. member for Scarborough West.

ALGONQUIN PARK PLAN

Mr. Lewis: How did he arrive at his figure of 3,100 jobs dependent on the woods industry in Algonquin Park?

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): They

were produced by the staff of the Ministry of Natural Resources.

Mr. Lewis: I have a letter signed by J. Barron, director of the timber sales branch, dated Nov. 20, 1973, to a resident of Waterloo which says: "The estimated employment dependent on the timber resources of the park has been determined at approximately 1,400."

There may be indirectly related jobs, but that is the same "categorization" on which the government used the figure of 3,100 just a few months ago. If you can have a drop of more than half in a few months, I'm wondering about the authenticity of any of the remainder of the government's statement.

Hon. Mr. Lawrence: I will have to look at the statement itself again. I haven't seen it in some months. But one thing that cautions me is that in some parts of the statement we are dealing with the region and in some parts of it we are dealing with the park in a very limited sense.

Mr. Lewis: That was the park all right.

Mr. R. F. Nixon: Supplementary. When the minister is looking at the authenticity of those statements, perhaps he would be good enough to compare them with the list of similar statements made with reference to Quetico when the debate was being brought forward publicly as to whether we could stop logging in Quetico, because at that time the government's list of people employed plunged tremendously when it was actually examined very carefully. I think that the level of employment should be known carefully.

Mr. Lewis: Greatly inflated at the time.

Hon. Mr. Lawrence: I will, Mr. Speaker.

Mr. Speaker: The hon. member for Scarborough West.

ELORA GORGE OVERPASS

Mr. Lewis: I have a question of the Minister of Transportation and Communications. Given his enlightened policies around the Brantford Expressway evident in what he gave to the House today, could he now decide to establish a public hearing on the very controversial subject of the bridge across the Elora Gorge so that citizens of the kind that made representations to Berger in advance of the Brantford decision could also make representations to a public body, perhaps with the same effect?

Hon. Mr. Carton: Mr. Speaker, the county council has been advised that the decision relative to the Elora Gorge bridge would be in its hands. They were so advised by letter last summer; and they were further advised that if this was one of the A priorities that it would be proceeded with, but it's up to them to determine it.

Mr. Lewis: A supplementary: Since the minister conveniently didn't mention that prior to that information he himself had informed citizens in the area that the government would not proceed, and then subsequently they were informed that it was a county council decision; and since the road and the bridge will run directly through the area of the Grand River Valley Conservation Authority, making it a matter of provincial interest; surely we can have a public hearing in order to resolve whether or not there can be an access route between Elora and Fergus on the one hand, rather than a spanning of the gorge, with questionable legitimacy in transportation terms and clear illegitimacy in environmental terms?

Hon. Mr. Carton: Mr. Speaker, I would stick to my other decision and come up with the same decision, that this is a different matter completely, with all due respect, to the Brantford Expressway, where there are traffic projections and where there are traffic studies and environmental studies that go on for a number of years. I really believe that we have to have some recognition of the fact that there is local autonomy.

If the county council in that area sincerely believes, in view of all the other constraints, in view of the financial constraints and in view of all the other problems that I'm sure they have in county council relative to the needs of the roads in the entire county, if they in their wisdom feel that this is an A priority, then I would suggest that this is where the proper decision should be made.

Mr. Speaker: The hon. member for Kent.

CONSERVATION OF ENERGY

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question of the Minister of Energy: Is the minister aware that at Willey's oil field, in the township of Dunwich in the county of Elgin, approximately 1.5 million

cubic feet of gas was burnt wastefully? Until June 1, 1973, they had a purifier there to purify the gas, and the gas was marketed to Union Gas Ltd. I wonder if the minister would look into this? Since that time, from June 1 to now, this gas has been wastefully used. I wonder if the minister could look into this and see if this gas could be put to good use in light of our energy crisis?

Hon. Mr. McKeough: Mr. Speaker, I was not aware of this. I've been made aware now by the member, and I will look into it and get back to him.

Mr. Speaker: The hon. member for Windsor West.

AUTOMOBILE ASSEMBLY PLANTS

Mr. Bounsall: A question of the Minister of Industry and Tourism. What is he doing at the moment, or what has he done, to ensure that small car assembly is not moved out of the Province of Ontario into auto plants in the United States?

Hon. Mr. Bennett: Mr. Speaker, I was not aware there was any consideration by any of the large motor car manufacturers of relocating small car manufacture in the Province of Ontario. We have two or three assembly lines which not only supply the requirements for Canada but also supply the United States. I have not been made aware of any indications, or any desire of automotive companies to relocate.

Mr. Cassidy: Better get in before they think of it.

Mr. Bounsall: A supplementary, Mr. Speaker: Would the minister then look into all assembly plants in the Province of Ontario and see if there are any shifts about to take place or planned, and then make representations to ensure that such do not occur?

Hon. Mr. Bennett: Mr. Speaker, if the member has any indication that there is some desire by the large automotive companies to relocate I'd be pleased to hear of them; but there has been none made public, nor have there been any closed-discussions either with the federal people or ourselves. If there is some information that the member has, sir, I would be more than pleased to have it and we'll follow it up.

Mr. Speaker: The hon. member for Downsview.

JUSTICES OF THE PEACE

Mr. Singer: Mr. Speaker, I have a question of the Attorney General. Is the Attorney General able to confirm the information given to me at 3:30 a.m. on Sunday morning that there is only one justice of the peace available in Metropolitan Toronto to listen to bail applications from persons arrested on indictable offences?

Hon. D. A. Bales (Attorney General): Mr. Speaker, the hon. member asked me that question about 11 o'clock this morning. I told him at that time that I would arrange to obtain the information. I will and I'll give it to him.

Mr. Speaker: The hon. member for Ottawa Centre.

Interjections by hon. members.

Mr. Cassidy: I have a question of the Premier, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: Order.

LAS VEGAS VISIT BY MINISTER

Mr. Cassidy: Can the Premier say whether his Minister of Industry and Tourism was on provincial government business when he spent three or four days in Las Vegas last week? If so, were his expenses paid by the province?

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, I think what I observed was that when the Minister of Industry and Tourism was elsewhere for part of last week, part of his natural approach to his responsibilities is to be always promoting the interests of the Province of Ontario. I think that I made that abundantly clear.

Mr. Roy: The Solicitor General (Mr. Yaremko) is the one the Premier should send down there.

Hon. Mr. Davis: Personally, I have no idea; but I'd be delighted to inquire of the minister as to what specific items he accomplished while in another urban centre south of us. But I think if my memory serves me correctly I did make it clear—and I think Hansard will bear this out—and if not it was the intent, when I said the Minister of Industry and Tourism, no matter where he was, always had the interests of the Province of Ontario foremost in his mind in discharging his responsibilities.

Mr. Cassidy: A supplementary, Mr. Speaker: Does the Premier think it can be justified that a minister, working full-time on a salary close to $40,000, should go off on a junket paid for by the Central Canada Exhibition Association in order to review—

Interjections by hon. members.

Mr. Cassidy: —entertainment available in Las Vegas for a fair being held up in Ottawa?

Hon. Mr. Winkler: The member is just upset because he was not invited.

Hon. Mr. Davis: I sense the frustration of the member for Ottawa Centre. It leads to questions of that kind. I can only say, through you, Mr. Speaker, that I doubt that those frustrations will ever be satisfied. So it will suffice, in my answer, just to say simply the Minister of Industry and Tourism, since he's assumed—

Mr. Lewis: Be a little less ambiguous.

Hon. Mr. Davis: —this responsibility has had very few days for creative contemplation.

Mr. MacDonald: At the public expense?

Hon. Mr. Davis: I don't think it hurts a minister from time to time, even a Premier, to have one or two days at least away from total public commitment.

Mr. MacDonald: At public expense?

Mr. Roy: He may not come back.

Hon. Mr. Davis: I think it is a very good thing for ministers and the province.

Interjections by hon. members.

Mr. Speaker: The hon. member for Waterloo North.

HYDRO SUPPLY BY CITY OF WATERLOO

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. I have a question of the provincial Treasurer and Minister of Intergovernmental Affairs.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Good: Although the regional Act for Waterloo states that persons being supplied electric power by a utilities commission must continue to be supplied by that commission until a date set by the minister, in view of the fact that 2,400 homes are willing to be taken over by the city of Waterloo—the city of Waterloo is ready to supply those people —and that Hydro will give them up, will the minister make an exception so that these people could be served by the city, in which they have lived for almost a year now, instead of by rural hydro?

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Mr. Speaker, if the hon. member will provide these details to me I will certainly be glad to consider it.

Mr. Speaker: The hon. member for Scarborough West.

GOVERNMENT TENDERING PROCEDURES

Mr. Lewis: A question of the Premier, Mr. Speaker: In light of the series of articles in the Toronto Globe and Mail and the article which appeared in the Toronto Star, I think on Saturday last, is the Premier willing to look rather personally and closely at the favoured relationship which IBM appears to have in the computer field with the government of Ontario? I offer nothing sinister in that, I just offer it objectively.

And would he consider whether or not the absence of tendering hitherto has perhaps bound the government in a relationship which is not entirely serviceable or productive for the future and should be altered?

Hon. Mr. Davis: Mr. Speaker, I think the Minister of Government Services (Mr. Snow), or the Chairman of the Management Board, both of whom are responsible for and involved in the rationalization of the computer programme, might be prepared to answer it. I can only say that as it relates to the percentages—and I made this general observation last week—I don't think that the percentage amount being invested, by way of purchase or rental, by the government of the Province of Ontario is really out of line with what has been done by other governments in the private sector as it relates to that particular organization. I can't comment from any technical standpoint as to what extent any rationalization will direct the future of the actual hardware—its compatibility with others.

Certainly I was somewhat concerned over the headline of the Globe and Mail, I guess

of Friday or Saturday, where it said "Davis Defends the Non-tendering Situation." That was not the intent of my remarks; I did not defend that. I said very clearly that it is a matter of public policy; that our policy was to tender; that there were some exceptions. And I didn't refer to the computer; I referred to, maybe, the creative aspect in the technological field, that might be in part of the urban transportation corporation, and here I am only speculating.

Perhaps the Chairman of the Management Board might have some more up-to-date information, but certainly I think that in what the practice has been here, the experience in percentage terms is not that dissimilar to other governments, and certainly to the private sector.

Mr. Lewis: I have a supplementary—does someone else?

I wondered whether the Premier knew that since the federal government, I guess in the last two or three years, has begun the practice of open tendering on all computer operations, the proportion of federal government business handled by IBM — I have it authoritatively — has fallen from around 80 per cent down to between 50 and 60 per cent, because except for the very biggest systems—and Ontario isn't a big system; it is a medium system for computers—IBM does not compete as effectively on the open market, openly tendered.

Does the Premier realize that IBM lost the Air Canada computer system to Honeywell; that Queen's University recently settled on Burroughs; that Control Data won the big federal government meteorology contract; that customs and excise for the federal government shifted from IBM, again to Honeywell; that in fact the conversion costs are usually absorbed by any of the other companies competing in this area? And given all of this background, which I found just by making a few calls is fairly readily available, surely there is a case to be made for the government seriously appraising the special relationship worked out with IBM which, in terms of cost and efficiency, may not be in the public interest?

Hon. Mr. Winkler: Mr. Speaker, in answering that supplementary question, which of course is very related to the original question, I would like to say that as far as the government of Ontario is concerned that as we develop, and as we are now developing as a result of COGP, I think members will find the same course being followed here—that indeed the percentage is dropping away from the high as it existed; that we are in fact developing a system in accordance with a plot and a plan, which is now ahead of schedule. My officials say, "on target"; I would like to say that it's ahead of schedule. And when we come to the completion of the transition to go to full public tendering, we will in fact have our own system, which will not be medium; it will be very big—and I don't deny that—and it will go fully to the open market.

I believe that over the course of the years up until now, and I haven't been in this particular position that long, that it happened because of the fact that IBM did have the technology and the hardware that suited the type of programme that a particular ministry picked up at that time; and that we are now coming into an integrated situation which will relieve that entire question.

Mr. Speaker: The hon. member for Ottawa East.

REPRESENTATION OF ATTORNEY GENERAL AT OTTAWA TRIAL

Mr. Roy: Mr. Speaker, my question is of the Attorney General. It deals with a court case which is presently going on in Ottawa before Mr. Justice Lacourcière of the Supreme Court of Ontario involving the Marlborough land scheme, where the municipality has bought strips of land from a developer—

Mr. Speaker: There are only two minutes remaining. The hon. member should ask a question.

Mr. Roy: Well, after the leader of the NDP took 10 minutes, surely I can explain for two minutes.

Interjections by hon. members.

Mr. Speaker: Well if the hon. member would like to be cut off in the middle of his question, he can proceed.

Mr. Roy: Mr. Speaker, I just had to give some preliminary information here. My question of the Attorney General is this: Does he have any comment to make in relation to the judge's comment that the Attorney General should be represented at this trial in view of the province-wide implication of the decision in this case?

Hon. Mr. Bales: Mr. Speaker, the case is before the court at the present time. The

particular comments the hon. member has mentioned have not been brought to my attention. In any event, I should not in any way interfere with a case that is before the courts at the moment.

Mr. Roy: Well, a supplementary, Mr. Speaker: The judge did not say that the Attorney General should interfere, but that he should have a representative there. Does he not feel that he should look into the situation and have someone from his ministry sit in as an *amicus curiae* or as counsel in the case?

Mr. Speaker: The time for oral questions has expired.

Petitions.

Presenting reports.

Hon. Mr. McNie presented financial statements of Ryerson Polytechnical Institute, the University of Toronto and the University of Western Ontario.

Mr. Speaker: Motions.

Introduction of bills.

MINISTRY OF EDUCATION ACT

Hon. Mr. Wells moves first reading of bill intituled, An Act to amend the Ministry of Education Act.

Mr. Speaker: The motion is for first reading of the bill.

The House divided on the motion, for first reading of the bill, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Auld	Cassidy
Beckett	Deans
Bennett	Ferrier
Birch	Foulds
Braithwaite	Germa
Breithaupt	Laughren
Brunelle	Lawlor
Carruthers	Lewis
Carton	MacDonald
Davis	Stokes—11.
Downer	
Drea	
Dymond	
Eaton	
Edighoffer	
Evans	
Gaunt	
Gilbertson	
Good	

Ayes

Grossman
Guindon
Haggerty
Handleman
Havrot
Henderson
Hodgson (York North)
Irvine
Jessiman
Kennedy
Kerr
Lane
Lawrence
Leluk
MacBeth
Maeck
McIlveen
McKeough
McNeil
McNie
Meen
Miller
Morningstar
Nixon (Dovercourt)
Nixon (Brant)
Nuttall
Paterson
Potter
Reilly
Rhodes
Rollins
Root
Rowe
Roy
Ruston
Scrivener
Singer
Smith (Simcoe East)
Smith (Hamilton Mountain)
Snow
Spence
Stewart
Turner
Villeneuve
Walker
Wardle
Welch
Wells
White
Winkler
Wiseman
Worton
Yakabuski
Yaremko—74.

Clerk of the House: Mr. Speaker, the "ayes" are 74, the "nays" 11.

Mr. Speaker: I declare the motion carried.

Motion agreed to; first reading of the bill.

SCHOOLS ADMINISTRATION ACT

Hon. Mr. Wells moves first reading of bill intituled, An Act to amend the Schools Administration Act.

Motion agreed to; first reading of the bill.

ANSWERS TO WRITTEN QUESTIONS

Hon. Mr. Winkler: Mr. Speaker, before the orders of the day, I would like to table answers to questions 1, 32 and 36 on the order paper. (See Appendix, page 6905).

Mr. Speaker: Orders of the day.

Clerk of the House: The 94th order, resuming the adjourned debate on the motion for second reading of Bill 264, An Act to amend the Planning Act.

PLANNING ACT
(*continued*)

Mr. Speaker: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): Mr. Speaker, as I was saying just before the hour of 12.30 and before I moved the motion that this debate adjourn, I believe that all the members of this House would be very anxious to see some resolution to the serious problem relating to checkerboarding; and I don't find that section 7, as it is presently phrased, is an adequate answer.

My attention has been drawn to an editorial that appeared in the Toronto Star on Saturday. Let me quote just two paragraphs from the editorial, which I think are most pertinent:

> Rural townships may find it feasible to recommend in some cases, but it's improbable that they can afford to ask for validation of all the uncounted thousands of checkerboard lots unless they are promised substantial financial help to provide services.
>
> Attorney General Dalton Bales has not said who will pay for these services nor has he said what the province will do, if anything, in cases where a municipality refuses to pass a validating bylaw.

Well now, that has been remedied to some minor extent by the amendment that we saw for the first time this morning. It allows a petitioning citizen, if he has been refused by the council, to go before the land division committee or a committee of adjustment.

But it is highly unlikely, Mr. Speaker, that if it has been refused by the council the land division committee—which is an emanation of the same body—is going to take an action that's going to reverse the action that council took just a few day before.

Theoretically, too, there is an appeal to the Municipal Board; but one faces very serious problems when one goes to the Municipal Board against the opinion of the local council.

First of all, there are delays. Second of all, there are expenses. And third of all, it takes a brave citizen—who often has to be a wealthy citizen—to challenge the opinion of the local municipality before the Municipal Board, because the municipality has many more resources available to it which it can call to support its earlier decision than, perhaps, the citizen has.

And the kind of citizen who has gotten caught up in these checkerboard schemes, by and large—and I have seen some of them, talked with some of them, and have had correspondence from others—is not a wealthy kind of citizen who is familiar with that kind of proceeding or who is prepared or able financially to go before the Municipal Board and present a case that is going to answer the municipality's case.

This editorial goes on to say:

> "While resolving some problems, we may be creating another" [and that quote is attributed to the Attorney General], which nicely points up the difference between political and practical problem-solving. The government shifts the focus of political pressure from itself to the rural municipalities; and the innocent land buyers are left to wonder how they will come out of the mess. The development companies evidently are not going to be held responsible for cleaning it up, either by paying the residue or by paying the cost of the services.

Therefore, Mr. Speaker, we find this section really does not look after the problem.

When I was talking this morning, somebody said, "What would you do?" Well, there are possibly a number of things that

I would do, and certainly there are a number of things that I would suggest; but when I commenced my remarks this morning I was objecting as strenuously as I could to the unseemly haste in which this bill was brought before us.

This section certainly should be subject to very substantial further review and discussion.

I mentioned that there was a hastily convened meeting of certain lawyers who met with certain government officials over the dinner hour on Thursday. Those of us in the opposition, who might have had some concern about this, were not privileged to be invited to that, so we don't know the kind of discussion that took place there.

Then I noticed in another article in Saturday's Star, Mr. Speaker, that apparently there was a meeting here at Queen's Park on Friday morning, when the provincial Treasurer (Mr. White), apparently invited representatives of 12 of Ontario's regional governments and other municipal people to discuss this particular section. This article is accompanied by a picture of Mayor Gladys Rolling, who is apparently the mayor of East Gwillimbury, and she is quoted rather extensively as being most concerned about the provisions of this section.

I don't know specifically what Mayor Gladys Rolling said at the meeting on Friday morning; again, we in the opposition were not privileged to be invited to that meeting. There were 12 municipal people who were there; they had opinions to be expressed, but only privately to the government. And I say this is wrong. I'm certain that people like Mayor Rolling bring to a meeting of that kind the kind of opinion that relates to their municipal experience and particularly relates to the problems in their own municipalities. Those opinions should be available to all of us; and we are not going to get them if this bill continues to be steam-rollered through the House. We're just not going to get them; they're not going to be available to all members.

What is wrong about this bill, this section and other sections, is that we are not going to be able to hear the opinions of municipal people and we are not going to be able to hear the opinions of knowledgeable solicitors who deal with this Act every day—and there are perhaps a dozen that I could name very quickly who are most knowledgeable in this field; I'm not particularly aware of their politics, nor do I think they matter. The government obviously know some lawyers who know their way through this Planning Act, because they did have dinner with some of them on Thursday. But again we don't know what happened.

Surely, Mr. Speaker—let me return to a point I made earlier—it makes good sense that this bill not be rushed through the House at this time but that it be allowed to sit on the order paper; it can be given second reading now, all right — and we'll divide on second reading—and at a later time we can have a meeting of the appropriate standing committee where we can bring in Mayor Rolling and others—and there are a number of others. Certainly, those members of this Legislature who represent the areas in which checker-boarding took place are going to have opinions. I talked to many of them even as late as this morning, and they are very concerned. The rather caustic view of one of them was: "Well, you don't expect us in the province to look after this and get our necks in a noose? Let those municipalities figure it out, and if they really want to help their people they'll ask for a bylaw and then we can slough off all of the responsibility that results from this situation."

I return, Mr. Speaker, to the premise I made earlier, that this a provincial responsibility, it is a provincial problem. The province has been rushing in legislation over the past few years, plugging a hole here, plugging a hole there. Section 6 of this Act plugs another hole, the method of rearranging titles by reason of giving and discharging of mortgages.

It is the province's fault; the province has control. I'm not saying it was done deliberately, but the government wasn't able to plug these holes before the abuses came about. Now that the abuses have come about and now that many thousands of citizens of Ontario have been hurt, I think it is a cheap way out to try to slough this off to the local municipalities. The local municipalities, in my opinion, are not going to be able to deal completely and adequately with the various problems which will continue to exist. Well, enough for section 7, Mr. Speaker.

Section 10 is another section I wanted to talk about. The marginal note to that section talks about development control. The section starts off by saying:

> Where there is an official plan in effect in a municipality, the council of the municipality in a bylaw passed under section 35 may, as a condition of development or

redevelopment of land or buildings in the municipality—

—do—such and such and so on.

At first reading, and this is one of the discussions we had earlier in the morning, development and redevelopment seemed to be reasonably understandable words. Redevelopment, however, has perhaps a very broad and general meaning.

What kind of redevelopment is the government talking about in this section? Is it talking about changing the roof? Is it talking about the addition of a wing to a building? Is it talking about a major redevelopment such as those things contemplated in section 22 of the Planning Act?

If the parliamentary assistant (Mr. Irvine) would turn with me to section 22 of the Act as it now exists, he will see subsection 1 says that in this section redevelopment means certain things. That is a reasonably confined definition, and if that is what is contemplated in section 10 of this amending Act, the one that is before us in the new 35(a), perhaps that makes some good sense. The way the minister has it worded doesn't carry one back to the definition section in section 22, because the definition in section 22 starts off by saying: "In this section redevelopment means" so and so.

Unless the minister wants all sorts of difficulty about the word redevelopment as it will appear or as he proposes it will appear in section 35(a), surely he should define it in some way. My suggestion would be that the logical method of defining it perhaps is as it is defined in section 22.

What I am saying, Mr. Speaker, is that this is yet another example of hasty draftsmanship, when the persons responsible probably didn't have enough time to bring all of these matters under proper consideration. They had instructions and they emerged with an Act that needed a second, a third, a fourth and a fifth look; and needed substantial public discussion. I say that if this section 10 carries through as it is presently printed and the word redevelopment is continued in this Act, certainly it is open to those who are going to have to interpret it to say: "If you come in for a building permit which is going to change your existing building or buildings on your land, in our opinion that is redevelopment. We put the natural English interpretation on the word redevelopment [which I would think means change of any kind] and therefore we are going to be entitled to apply conditions."

If it is the intention of the government, it certainly shouldn't be and the government surely has a responsiblity when it brings in a section like this to tie down its use of words and to define an important word like redevelopment. It hasn't done it here.

Then I look, Mr. Speaker, to section 10. Section 10—well, I started on section 10, development and redevelopment, and I look at those conditions, 1 to 11; they are now 1 to 12. Let me point out another series of problems which could exist and there are undoubtedly more which I haven't as quickly come to as yet. Subsection 1, by which there can be regulations about the following matters, talks about the widening of highways that abut on land that is being developed or redeveloped.

And then by way of contrast, let me take the parliamentary assistant to subsection 7, that talks about:

> Conveyance to the municipality, without cost, of easements required for the construction, maintenance or improvement of any existing or newly required watercourses, ditches, land drainage works and sanitary sewerage facilities on the land—

The interesting words in subsection 7 are the words "without cost." But the words "without cost" are not in subsection 1. Now does the government mean, does the parliamentary assistant mean, that when there is development or redevelopment, there is to be a condition that a widening can be obtained without cost? Or is it with cost? If it is without cost, then one would think there should be a limit on it; because surely it wouldn't be anybody's intention that the widening could be so extensive as to destroy—

Mr. M. Cassidy (Ottawa Centre): This is the Givens-Singer Liberal Party.

Mr. Singer: —as to destroy the ability to develop. If it is with cost, then why doesn't it say so?

I suggest to you, Mr. Speaker, that this kind of definition should be spelled out. I would like to hear the government's approach on this.

Mr. P. D. Lawlor (Lakeshore): The member for Downsview is a real bastion of property rights.

Mr. Singer: If there is road for widening, should it be without cost? Often it should be without cost; but if it is going to be without cost, then there should be limits on it. If it is going to be with cost, then say so.

I think in order to avoid future expensive

and delaying litigation, the government has got to look to these sections and to set them out quite clearly. The contrast there between 1 and 7 is yet another indication of poor draftsmanship or poor thinking, or poor instructions to the draftsman.

Section 11, which is now amended by section 12, causes very great difficulty to me. Section 11, as it is written in the bill and before the amendment was mentioned this morning by the parliamentary assistant, talks about:

> Plans showing the location of all buildings and structures to be erected on the land, as well as building elevations, cross sections, perspective drawings and other facilities required by the bylaw.

A lot of what is in section 10 has been taken, and I think properly taken, from the recommendations of the Law Reform Commission. But when they came to subsection 11 in this section, somebody added the words "building elevation, cross sections, perspective drawings and other facilities".

Now those words, "building elevations, cross sections, perspective drawings," were not in the original report; and now apparently are going to be taken out by the proposed amendment introduced by the minister.

However, the method by which he proposes to take them out leaves me with the same doubt as I had when I first read 11. He deletes those words from 11 and puts them in a new subsection 12 and says:

> Perspective drawings and plans showing building elevations and cross sections of industrial and commercial buildings and residential buildings, containing 25 or more building units.

Now I think, Mr. Speaker, it is well there are provisions presently within the Planning Act that allow the municipality to control the height of buildings by its zoning bylaws; and that is as it should be. Also, there are provisions which allow the municipality to control the density of the use of property; and that is as it should be.

But, it seems to me, what existed in 11 as printed, and in the new 12 as is about to be submitted as an amendment, is a vehicle which is available—notwithstanding the questioning put forward by the hon. member for Ottawa Centre this morning—but still is a vehicle that is available, or is going to be available, to allow the municipality, notwithstanding what is as enacted in its bylaw about height or density, to say, having seen the perspective drawings and the plans showing building elevations, that it can limit the height, even though it said in its bylaw that it can be so high, and in density provisions that you can have such and such a density. I don't really think it matters—and that was one of the points I was trying to make when the hon. member for Ottawa Centre raised his point of order—I don't think it really matters what the intention is in the minister's mind, it's what is written in the statute. That's certainly a basic principle of statute interpretation.

The courts are not going to listen to what the minister has said in debate as it is recorded in Hansard. They are not even going to look to the marginal notes to explain. They are going to read what the statute says as it is actually passed by this Legislature. If the statute as it is actually passed by this Legislature says: "May prohibit or require the provision, maintenance and use of the following facilities and matters or any of them and may regulate the maintenance and use of such facilities and matters"; then you look at the preliminary words and you apply them to the new subsection 12 as he has put it in there. This, in my opinion, would at least allow a municipality, if it wanted to, to say: "We have looked at your perspectives and they are not pleasing to us. We have looked at your building elevations and they are not pleasing to us. They would be pleasing if you weren't so dense in your use of the land. They would be pleasing if your building wasn't so high. And it really doesn't matter that we have a bylaw that says your building can be as high as your perspectives show, or that your density can be as dense as your projections show, they are just not pleasing to us."

Therefore the municipality is given another arbitrary basis on which they can accept or reject an application for a building permit, which they haven't chosen to use when they drafted and passed their bylaw.

Now I say that's wrong. I return again to a phrase that doesn't always please the hon. member for Lakeshore, government should be the rule of law and not the rule of men.

Mr. Lawlor: That doesn't please me at all.

Mr. Singer: No.

Mr. Lawlor: The member misuses that phrase badly.

Mr. Singer: I would say that since the power exists in the statute to govern heights and to govern densities, that's fine and that's the way it should be. If the municipality concerned wants to limit its heights or its densities, then that should be the ground rule.

But when you give them this power, well certainly it is open to substantial argument, and it almost begs for litigation, if somebody feels they are aggrieved by what they believe is an improper interpretation of the wordage and its natural interpretation in the English language as appears in this statute.

The minister could cure this, I suppose, by putting in section (2)12 if he really wanted to change it, to make the announced intention or the apparent announced intention clear by adding some sort of proviso, such as providing that the control over the review of elevations in cross sections shall not derogate from the existing provisions of the by-law.

But the minister hasn't said that. And having not said that, I think a court might well be moved by the argument of a municipality: "Well, it's true our bylaw didn't say it, but the Legislature saw fit to give us arbitrary control, and we've looked at those drawings and they're not pleasing to us. They would be pleasing if they were lower or less dense." I think this is very, very wrong.

Then, Mr. Speaker, I turn to section 13 of the Act which adds 44b and 44c to the statute. What the minister proposed when he introduced the bill and what the parliamentary assistant is going to argue in favour of, I presume, is to give to the local municipality, or whatever local municipalities are chosen, power to control such matters as official plans —the modification without consultation which I talked about earlier this morning; and perhaps the powers given under section 32, which is the right to change without approval and without a hearing a local zoning bylaw.

I'm sure the parliamentary assistant is familiar with that. From the broad wording we have in 44b—(4), it would seem that all the powers the minister presently has can be delegated. Does the minister really want to be able to delegate to the local council the power to change its bylaws without any local hearing at all; without any information to the ratepayers? Is that what he means? I wouldn't think that's what he means; but that's what could easily be said, and that's how it could easily be interpreted.

Look at section 32. The minister will recall as well the recent court of appeal case—Zadrouek, was it?—where the court of appeal said there is no compulsion to give notice of any of these hearings. This compounds the thing.

The courts have said there is no compulsion to give notice. If a matter is going in due course before the Municipal Board, that is where the public has the opportunity and the right to object. Now, if they don't have the right to object, if there is no compulsory right that they can object on the local level, really that is stretching a very, very dangerous precedent.

All right, that is one phase of that, if the government is prepared to give to these local municipalities certain powers—and we believe that the local municipalities should have much more control over land use than they presently have, and we believe that it is a good thing to take away from the minister many of these powers that he has. But if the government is going to give them to the local municipalities, for goodness' sakes at the same time it should make provision—write it into the statute—that when these powers have been given, there shall be notices to the surrounding ratepayers, within 300 ft, 400 ft, or on some occasions at a much wider distance, that there shall be public hearings where the planning board hears the local ratepayers who might be concerned, that the council will hear them.

Because if the government is removing another protection it is often too late, as I was saying in another connection, to say you have got a right to go to the Municipal Board. It is very difficult to go to the Municipal Board. It is often very expensive to go to the Municipal Board. If the government is taking these powers away from the minister and giving them to the municipality—which we think is a good principle—then it should enumerate the powers that it is giving and write into the statute positive provisions for notice, without which the procedures are bad; and positive provisions for public hearing, without which the procedures are bad.

And then, Mr. Speaker, when you come down to 44c, and you have these wonderful words that the council may: "Delegate any of such authority, other than the authority to approve official plans and amendments thereto, to an appointed officer identified . . ." either by name or by title; I just wonder, really, what the Treasurer has in mind.

Bearing in mind that one can have decisions, if my supposition is correct, if the power under section 32 is being conveyed first to the council and it can convey it to a named official, the government is giving power to a local person, perhaps a planning director or perhaps, as the editorial in the Globe this morning suggested, to the chairman of Metro's executive assistant, the power to change a bylaw without notice to anybody.

I think, Mr. Speaker, that this is a horrendous thing. It really is. I just don't understand why that power should be able to be

delegated further and be delegated beyond the control of the elected people.

We have been saying more power should be given to the local councils. What the Treasurer has provided here is that some more power be given to the local councils, but they can delegate it to someone over whom the council then will have no control; someone who can make up his mind in his own little office, whether rightly or wrongly; someone who can set himself up as the local planning tsar; someone who need listen to no one; someone who need send notices to no one; someone who need have no hearings. Presuming whoever might be delegated is honest, surely the Treasurer is, if nothing else, creating a group of people in this province who will then be able to make very, very important planning decisions absolutely by themselves. And I say this is wrong.

At least if the responsibility for the final decision—they can refer to their planning director, or their executive assistants, or whoever they choose to delegate to and surely they will and get their reports—but then it should be the responsibility of that council to say: "Thank you, Mr. X, for your report. We agree with it and we pass the bylaw accordingly"; or: "We disagree with it and we change the bylaw." And then if the voters don't like it, they can say to the local council: "Out you go; we didn't like your decision."

But what do the ratepayers say to the local official who makes his decision in isolation? That's a terrible decision. They go to the alderman and they say: "Mr. Alderman, how could you do a thing like that?" And the alderman says: "Well, council delegated it to the planning director. And the planning director decided, and the statute provides that he can make that decision and the courts have said he doesn't have to send notices. There's the decision; if you don't like it, trot off to the Municipal Board."

I can't imagine, Mr. Speaker, a more ridiculous state of affairs arising under our so-called democratic process than if this section 13 goes through as it is now written.

In case I didn't make myself quite clear on this we in the Liberal Party are in favour, very strongly in favour, of returning more responsibility to the local municipalities. We believe equally very strongly that when it is done it should be done in such a way that one can pick up the statute and say that this is what the powers are, this is what can be recognized. The Legislature set down certain tests which have been passed, and the municipality has set down certain other tests and bylaws, and the final decision to use land are going to be those of the local council. If we don't like what the local council is proposing, at least we can go before them and we can argue with them, and they can make their decision, but at least there can continue to be ratepayer interpretation.

Let me read a couple of paragraphs out of the Globe and Mail editorial this morning:

> There is another section of Mr. White's bill that is disturbing. It says that the government should be able to "delegate to the council of the municipality any of the minister's authority under the Act." Council would also be given power to delegate any of this new-found authority "other than the authority to deal with official plans and amendments thereto" to a non-elected official.
>
> What an astounding provision. Mr. White could give all his power over municipal matters in Toronto to the Toronto city council or the Metro council. And the council could turn over most of those powers to an appointed official.
>
> The implications are mind-boggling. Who will be responsible for what under such a system? The same matter might be controlled in Toronto by an assistant to Metro's already-appointed chairman, Paul Godfrey; in the regional municipality of York by the council; and in Mississauga by the provincial government.

I think what the editorial writer has said there makes good sense. I think the minister has got to bring some uniformity out of this; he has to protect the people who are going to be affected.

Finally, sir, I think the last paragraph of the Globe editorial really sums up what I have been trying to get at in my remarks before lunch and in my remarks now.

> Both these matters [and who knows how many more?] need detailed study and debate in committee, in the Legislature and by the public. It is insane for the government to try and ram them through the Legislature before it prorogues.

That certainly is an exact summation of our feelings in regard to this. There are some good ideas in this bill. The minister has identified some very important problems to which we want solutions, and we think that in many instances his solutions have taken the wrong direction or leave a lot to be desired.

We would ask him, having heard this debate—we are going to divide on this because

I am going to move a motion in a moment—having heard this debate and having carried the bill through second reading, to do as his colleague, the Minister of Consumer and Commercial Relations (Mr. Clement) did, and hold the bill until we come back. Once we have come back he will have had an opportunity to have another look at this, perhaps to rewrite the bill—probably to rewrite the bill—certainly to send the bill to standing committee where we will be able to talk to people like Mayor Gladys Rolling and the other municipal people who are concerned and get their views.

They are the people who are going to have these responsibilities. I think it is really disgraceful that we are put into this position in which the minister is forcing a decision on us, with a minimum time being allowed to examine the provisions of this Act and with no time, really, being allowed to go out into the province and find out the opinion of other people.

Mr. Singer moves that Bill 264 be not now read a second time but be read a second time this day three months hence.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Mr. Speaker, I have a number of comments on this bill, which I would like to make. I wonder if we have a quorum, Mr. Speaker. I would like to call for the quorum, Mr. Speaker.

Mr. E. R. Good (Waterloo North): There's a committee in session right now.

Mr. Cassidy: That doesn't matter. There were 55 Tories here a few minutes ago. I don't see why a few of them shouldn't—

Mr. Speaker: I called the member for Ottawa Centre to speak.

Mr. Cassidy: I am sorry, Mr. Speaker. Do we have a quorum in this Legislature?

Mr. Speaker ordered that the bells be rung for four minutes.

Clerk of the House: Mr. Speaker, a quorum is present.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Mr. Speaker, I had a number of comments I wanted to make about the Act to amend the Planning Act.

The first I think are just a few general comments, Mr. Speaker. Like the member for Downsview, we are concerned about the way in which this bill is being rammed through the House; about the way it was introduced and published only last Wednesday, and now is going forward apparently with no intention even to have public hearings before a standing committee of the House before it is going to come back for third reading in this particular place.

It seems to me that the fact that there were no more than half a dozen Conservatives in the House a moment ago when I asked for a quorum, is an equal indication of the kind of contempt that the government has got for the Legislature and for the work it has to do.

I just feel the government doesn't understand what the work of this place is, and that every move they have been making over the last few months—

Mr. J. H. Jessiman (Fort William): Why doesn't he look around him and count his own party members?

Mr. Speaker: Order, please. I wonder if the member would confine his remarks to the bill?

Mr. Jessiman: Why doesn't he count his own party? Then he wouldn't need a bell for a quorum?

Mr. Cassidy: It is not our responsibility to make a quorum.

Mr. J. F. Foulds (Port Arthur): Where are the government's 25 members? It hasn't even got 15 of them yet.

Mr. Cassidy: That's right. I would point out, Mr. Speaker, that there were 85 people in this House a few minutes ago and we were down to approximately 13 or 14 when I asked for a quorum; and in addition there may have been seven or 10 who were down in the committee on the Workmen's Compensation Act. The rest have disappeared to the Royal York, or God knows where; and I just don't find that acceptable.

The bill is a major change to the Planning Act, Mr. Speaker, and yet it is being given to the parliamentary assistant from Grenville-Dundas rather than being carried by the minister; although I am glad to note that the minister is in the House and has been in the House for most of the debate since it was begun by the member for Downsview.

Mr. Foulds: Actually that shows a certain amount of discretion on his part.

Mr. Cassidy: The government has talked about the consultation that has gone on and so on. It is not permitting any chance for consultation over the actual terms of the bill; nor for that matter has there been consultation over a number of areas which ought to have been discussed before these amendments were brought forward.

In fact I was talking today with the chairman of the municipal section of the provincial-municipal liaison committee to find out just what has happened in terms of a review of planning. I found out that there have been no resolutions or agreements reached yet by the PMLC with the province about the degree or the number of powers that ought to be delegated and which are covered in this particular Act.

While the specific matter of the site control provisions that are included in the bill were discussed with the PMLC about a year ago, there has been no discussion about the question of development control; yet this Act purports to handle the question of development control and not only of site control. It is now six months and there has been no substantive discussion with that particular committee about questions of the minister's powers under the Planning and Development Act.

In other words, the ministry uses that particular consultative device when it feels like it; not on a regular kind of consistent or coherent basis. Certainly it hasn't done so in the case of a number of provisions in this particular Act.

I might say, Mr. Speaker, that we are concerned too that with all the recommendations that we have now had in a couple of reports of the Camp commission, there has been as yet nothing to strengthen the powers of this particular Legislature, this particular House. And speaking to you, Mr. Speaker—

Mr. J. M. Turner (Peterborough): There is nothing in the bill about that.

Mr. Cassidy: No, but it is important; and the issue comes up, because here is another major bill—

Mr. Turner: But it is not in the bill.

Mr. Cassidy: All right, I will talk about the bill in a minute, if the member will just bear with me. I don't notice him contributing to very many debates in this House.

Mr. Turner: I don't know if we can.

Mr. Cassidy: Well, all right, I don't know whether he can either; and perhaps it is a service to the House that he doesn't contribute. But at the same time, I think it is perfectly in order for me to make a few comments about this.

Mr. A. J. Roy (Ottawa East): Did the member for Ottawa Centre call me back from my office to listen to this?

Mr. Cassidy: Look, I didn't want the Liberals to come in; I was looking for Tories.

Mr. Speaker: Order, please.

Mr. Cassidy: I wanted to see that a few of the Conservatives were in. After all, it is their government and it is their particular bill.

Mr. Roy: Well, the member didn't succeed very well.

Mr. Cassidy: I realize that and I am sorry about it. And if the member drifts back to his office I might call a quorum again if it weren't for the fact that there were Workmen's Compensation Act amendments which are pretty important and which we would like to see.

I might point out, Mr. Speaker, that we came within about 10 seconds of having to adjourn the House for good because a quorum was not available at the end of that bell.

Mr. Speaker, there are a number of areas that I want to deal with. First, I want to deal with some of the subsidiary parts of the bill on a section-by-section basis; and then I want to deal with what I consider to be the major thrust of the bill, which is the inadequate way in which it attempts to cope with the need of major municipalities for development and control powers.

The first part of the bill, Mr. Speaker, continues the confusion which we discussed a few days ago about the powers in the area of planning and the powers of the Treasurer and the powers of the Minister of Housing (Mr. Welch). I need say no more about it than that, except that the distinction between policy-making and planning and the administration of planning is, to our view, extraordinarily difficult to make; and I would predict that there is going to be enormous difficulties in this because of the fact that the Minister of Housing is being made a tributary of the Treasurer, rather than being made an independent minister in his own right.

The section that increases the minister's power concerning official plans is, to our view, basically housekeeping, but our concern about it is the fact that the minister is empowered to make modifications in official plans, where they are not deemed to be satisfactory, without provision for a second round.

In other words, when the minister decides, or the minister's officials decide, that a municipal structure plan as proposed is not satisfactory, although there is provision for a referral to the council, there is not provision for the minister simply to send the whole thing back and say, "Try again." The minister can simply unilaterally move in, and that concerns us.

I recognize that that was effectively what could happen under the existing legislation now being amended, but I would have thought that if the section was being treated at all, that the government could take count of the kind of move that is abroad in planning and in the municipal governments of this province at this time, and could have done better than what is proposed in this particular area.

The provision to permit grants by a municipality under a redevelopment plan as well as loans for rehabilitation is welcomed by this side of the House and we consider that it is long overdue.

The tightening up of the loophole as far as the use of partial discharges of mortgages to achieve severances by another means and avoid consents or subdivision control obviously makes sense.

The member for Lakeshore and the member for Riverdale (Mr. Renwick) will be dealing mainly with the provisions about checkerboarding. I may say that we welcome those moves and have fought in this House consistently for some means of regularizing the situation that the hapless purchasers of those particular lots got into because of the fact that the ministry allowed a loophole to exist for so many years.

I understand that checker-boarding is a hoary device, a well-worn device that has been used by lawyers in and around this province for the last 25 years. It strikes me as very strange that the government would have to wait until the scandalous situations were created by companies like Whiterock Estates before it was finally ready to move.

I may say also that we miss very badly any resolution to one of the other rather antiquated and traditional means of avoiding subdivision controls and consent applications. We miss the closing up of the loophole under which land is deeded to the municipality in order to define lots which were then sold off. As I know the member for Grenville-Dundas is aware, we have this situation up in the township of Marlborough—I guess it's the township of Rideau now—in the Ottawa area.

In that particular case there were some 150 lots; the title in the case of a number of houses which have been built on those lots is not clear. The owners are very concerned. Our feeling would be that you shouldn't tear those houses down or victimize the hapless purchasers of those particular lots, but that the government should have moved at this time with legislation in order to ensure that this technique is not used somewhere else in the province.

Frankly, I'm not content with the stand by the government which says that since the matter is before the courts it will wait to see what happens. The ministry and the ministry's advisers know perfectly well that this is not the first time that the technique has been used. It may well have been used in a number of other instances around the province where people are just now coming in for building permits on lots that have been defined and divided by deeding of land to the municipality and where possibly a co-operative municipal council was in bed with the developers.

Legislation would close up that loophole once and for all, but if the government doesn't legislate now, it'll have to wait a number of months to do it. If it happens that the courts rule that what was done was illegal, then the legislation becomes nugatory. However, the opinion that I have seen suggests very clearly that what was done was probably legal, although it was contrary completely to the spirit of the Planning Act and of the various legislation and policy statements made by the ministry. It was contrary to the spirit, but probably not contrary to the law and I would welcome an amendment to the bill that would sort this particular loophole out now, rather than waiting for another six months, or for another year.

Mr. Speaker, the provisions that relate to a more selective application of ministerial orders by preserving those parts of zoning bylaws that are not affected by the order from the ministry also make sense to us as a matter of housekeeping. The requirement that amendments to the ministerial order be made after hearings by the OMB rather than unilaterally by the minister, as happens at present, is equally welcomed.

Now I'm not sure whether that is the technique we would have chosen. I think we probably would have suggested pretty strongly that amendments to a ministerial order be handled through the local planning process, where there is a local planning committee and local planning staff; or, if that is not possible, then they could be handled by an in-

quiry officer sent down by the ministry, rather than loaded on to the OMB.

Nevertheless the present process, where the minister or his staff hear an application and there are no requirements for notice or anything like that, certainly doesn't make sense. We welcome the change. I would hope that the change requires or involves adequate notice to people, as is found with other zoning applications before the Ontario Municipal Board. The member for Grenville-Dundas is nodding, and I welcome that as well.

The provision that subdivision agreements be registered against title is of course long overdue. It has been something for which the municipalities have pressed for years and years; although they appear not to have been caught short by it in the past, there has always been that danger or the fear that that might happen, and I suspect it may well be the case that a number of municipalities still refuse to sign agreements in connection with subdivisions because they fear, and the lawyers tell them, that the agreements will not pass with title to the land.

We welcome that. However, I don't find anywhere else in this particular bill any similar protection for agreements that are made as a condition of a rezoning application by a developer. I know that the assistant will tell me that is part of the development control provisions; however, he is also aware that a number of things can and are being done as conditions under rezoning which cannot be done under the inadequate site control provisions in this particular Act.

In other words, we need to make those agreements binding in the case of subdivision agreements, which we've done; in the case of rezoning, which we haven't done; and in the case of development control, which I understand has been done in the legislation. In other words, there is a weakness there.

It seems to me, Mr. Speaker, that when the government was dealing with a number of amendments to the Planning Act, it ought to have taken some steps toward reform of planning, even though it currently has a task force that is about to be appointed to review the Planning Act in its entirety.

My understanding is that the chairman or the director of that task force has not yet been appointed, even though it is three months since the announcement by the minister that there was such a task force. In other words, the process is taking time.

I recall that the minister said that this particular study would take a matter of about two years, which would take us past the next election to 1975 or, as these things go, to some time in 1976. That's simply too long to wait for major recommendations. Moreover, the government's record on acting on recommendations is that it in turn takes a lot of time to move.

For example, the development control provisions that we have in this Act were recommended in November, 1971, by the Ontario Law Reform Commission. It has taken more than two years for those to hit the Legislature, even though there was no substantial change in the what the Ontario Law Reform Commission recommended. Hypothetically, Mr. Speaker, one could say to the minister that he is talking now about major changes to the Planning Act not occurring before some time in 1977 or 1978, if this government happens still to be in power then. That's too long.

Mr. D. R. Irvine (Grenville-Dundas): It will.

Mr. Cassidy: It will? Well, I don't share the confidence of the member for Grenville-Dundas either in the government or in its longevity.

However, Mr. Speaker, there are certain things that I suggest could and should have been written into legislation at this time, even if a fundamental review of the Planning Act was about to proceed.

One is the question of time limits, which was dealt with both by the OMB select committee and in much more detail by the Ontario Economic Council study on the Planning Act. Another is the question of public participation and public involvement in planning.

Both of those were excellent reports, the OMB one rather slimmer and the OEC one an excellent report, the best thing that has ever come out of that council, which is normally not noted for doing good work.

Both argued very, very strongly that in cases of subdivision agreement, in cases of zoning and rezoning, in cases of official plans, official plan amendments, part 2 studies, the whole bit, that there should be notice and that the public participation phase should take place before the initial approvals at the municipal level, rather than after zoning by-laws or other decisions are made locally and are being sent up the pipe for approval by the minister or by the Ontario Municipal Board.

Those steps, Mr. Speaker, could have been taken in this particular legislation and we regret very much that those steps were not taken. It was argued in the Ontario Economic Council's report and in the OMB report that

that kind of participation needn't take longer. In fact, because you would get public input at an early stage, it could in fact mean a shortening of the time for development approvals, subdivision approvals and the other things that are consequent on legislative action or municipal action under the Planning Act. We simply regret the fact that the government didn't take that opportunity now, and that it seems to constantly be delaying on any kind of reforms, even the reforms which every expert agrees are required under this Act.

The park provisions which are also in here, Mr. Speaker, are welcome. We feel that they are a positive kind of step and that they provide flexibility. As the minister and his assistant know, we have had particular problems with the five per cent park rules in the township of Gloucester in Ottawa; it's a problem right through the city of Ottawa and its suburbs, as it is in any developing area.

The provision for grants as well as loans where there is an order under a minimum standards bylaw is also welcome. I am sure the minister, or at least his assistant, who is a former mayor, are familiar with the problems —say with an elderly resident who cannot afford to fix up his or her house and yet who wants to stay there. The municipality moves in and the resident cannot even afford the preferential loan rates available, where a loan is made in conjunction with a minimum standards order. The power to make grants there is welcome.

I am being very positive about the bill up until here, Mr. Speaker. There are a few things in it that do concern me though, and I will get to them in a minute.

Let me just welcome again one other section of the bill and that is the delegation which is being proposed; the delegation to the municipalities.

Delegation has already been available as far as regional municipalities are concerned; it was not used, however. It seems to me that we need a clear statement from the assistant or from the minister as to how the powers, which are very broad in this particular bill, are intended to be used. The misfortune of this bill is that we are being given a kind of skeleton legislation. The minister went before the provincial-municipal liaison committee a few weeks ago and outlined a list of about 30 or 40 powers that he proposed to delegate to the municipal level, but he wasn't very clear about when, how much, how far. This particular bill is not clear about that either.

What powers does the government intend to delegate to the municipalities? Will it delegate the same powers to every municipality, or will it do these delegations on a case-by-case basis? What powers under the Planning Act does the government intend to keep? What tests does the government plan to impose in order to ensure that there's planning competence at the local level when powers are delegated? How will the Treasurer, who is responsible for land-use planning policy, work with the Minister of Housing, responsible for planning administration, when it comes to the delegation of these particular powers?

Conditions are provided for in the Act. What kind of conditions might be imposed? What kind of oversight does the government intend to exercise in view of the power to intervene, which is retained in subsection (4)? How will the powers to delegate being given to councils be permitted to operate?

A very important question: What public access, if any, will there be when powers are delegated from a council to a council official? What public access will there be in the case where local officials exercise subdivision control powers or where they grant ministry approvals for rezonings and confirm that they conform with the official plan?

Those are the major questions that we have with delegation, Mr. Speaker. I may say that we are not so concerned as the hon. member for Downsview about the fact that some of these powers will be further delegated to the official level within municipalities. After all, they don't go before the minister or his assistant at Queen's Park now and, if they did, why, he has only a perfunctory look at them along with a recommendation from one of his staff.

Effectively, it is the planning staff at Queen's Park which now carries out this approval process and it is not political people. It is not elected representatives. The planning staff is delegated. They are given the powers, I suppose, by order in council and the situation that will prevail in regional municipalities and the larger local municipalities is going to be very much the same. Those officials will be delegated.

If the councils have any wit at all, they will ensure that they are informed in the case of major approvals which are being considered by that particular official. Moreover, almost every one of those approvals being done by officials will be of a matter which will have already passed through the local council, because it will have had to make decisions in connection with a subdivision

agreement or in connection with a rezoning, or in connection with some other process that falls under the Planning Act.

So frankly, the demons which the hon. member for Downsview happened to see just don't concern us that much.

Mr. Lawlor: They don't even exist.

Mr. Cassidy: They don't even exist. That's right. As a matter of fact, I am very concerned about the stand of the Liberal Party on this whole bill, Mr. Speaker.

Mr. Turner: What stand?

Mr. Cassidy: The hon. member for Peterborough says "what stand?" On the one hand, they are concerned that too much power is being left for the minister when it comes to the matter of official plans. That is their decentralization, local autonomy way of speaking.

But on the other hand, they speak of protecting the little guy by keeping all the powers at Queen's Park, they talk about too little competence in municipalities for sorting out the checker-boarding problem and suggests that the ministry should solve this particular one without reference apparently to what local people think and without reference to the needs for local servicing or for local requirements to be met.

On the third hand, they suggest these municipalities, which are too weak to sort out the problem of checker-boarding, are going to impose impossibly restrictive conditions on the victims of checker-boarding so that they will bankrupt them by insisting on 2,000 ft. roads and on one lot paying all of the cost of providing water and sewer services for an entire subdivision and that kind of thing.

They mouth slogans of local autonomy when it comes to delegation, but then say that it is unthinkable and unacceptable that these powers should be delegated to officials under the control of local municipalities. Frankly their position, Mr. Speaker, is so inconsistent and so incomprehensible as to be incoherent.

Mr. W. Ferrier (Cochrane-South): That is no change for them.

Mr. Cassidy: That is no change for them, no.

Well, Mr. Speaker, I want to speak now about the questions of development control, which as I stated are the nub or the heart of this particular bill. I speak more in sorrow than in anger about this particular bill.

If it came through as a separate piece of legislation, rather than as part of a complete bill, most of which we would support, we would simply oppose the entire bill. As it happens, a motion has been moved to hoist this bill for three months, and having looked at it with some care we believe that the three-month hoist would do a tremendous power of good in allowing local and public input into development control and the other provisions of the bill, and that therefore this should be done. We will support the motion for a three-month hoist in order that there can be adequate public consultation.

Mr. D. M. Deacon (York Centre): A very commendable and wise move.

Mr. Cassidy: All right, yes.

I don't think we would have supported the Liberal Party if the Liberals had simply said that they reject the bill. I think we would have found ourselves in the unusual position of voting with the government on that, as a matter of fact. I just want to say that when it comes to development control we really think the government is playing games with the municipalities and there could be some very dangerous results coming out of that.

Let me talk about the dangerous results first, Mr. Speaker. The development control provisions here, which date back to proposals originally made in the mid-1960s, ostensibly cover what municipalities should be able to do in terms of regulating site control plans on behalf of developers in areas of redevelopment and areas of change. It so happens, though, that municipalities have found other routes to the same end by use of height control bylaws or by use of restricting development to existing uses, the technique that is used in the city of London. Although there are precedents before the Ontario Municipal Board for temporary holding bylaws or height control bylaws, I fear that one effect of the legislation on development control which we have before us today may be that the OMB, which has proved in recent months to be almost totally developer-oriented, will simply capitulate to their objections to bylaws such as the holding bylaw that has just been confirmed by city council here in the city of Toronto. And that the OMB will say that since development control powers are now legislated by the provincial Legislature, it was clearly the intention of the Legislature and of the government that this is the route that should be used, and that the OMB will therefore throw out these 45 ft bylaws.

If that is the case, Mr. Speaker, wittingly or unwittingly—and I don't want to suggest that there has been a conspiracy here; there may have been—it may be that it has been an unconscious type of step on the part of the government, and unwittingly it has put itself in league with the developers who are seeking every inch of fighting ground they can find to stop moves like the city of Toronto's 45 ft bylaw.

They don't want any of that kind of control. They simply want a return to the free and easy days of the 1960s when they could do anything they wanted with cities like Toronto and devil take the hindmost. If they can use this particular legislation to restrict the interference, in their view, of the city of Toronto or the municipalities with what they want to do with the downtown core, and if they can get a few more years of riproaring development at eight or 12 times density, whatever happens to be permitted under obsolete zoning laws, they will exploit that opportunity.

If that is the case, Mr. Speaker, this government will have put itself in league with those developers. I regret that, Mr. Speaker. It seems to me that the government, which says it listens to people, could in fact have put itself much more in tune with current trends and thinking about planning in our cities of Ontario and could have come up with a major development control bylaw which either would have satisfied the needs for a period of eight or 10 years, or would have provided a very useful interim step pending a total review of the Planning Act over the next two or three years.

Mr. Speaker, this question of development control has been talked of for many years. In Ontario it has been talked of in much more detail since 1967 when Prof. Milner was asked to draw up some proposals for the Ontario government. His proposals came a couple of years after the city of London successfully sought development control powers within its boundaries. In 1968 a number of municipalities requested similar powers and were turned down by this government because of the fact that something big was in the works.

Prof. Milner's two reports are a model, in fact, of thinking out loud about a fairly difficult problem. It was a particularly difficult problem at that time because people didn't quite understand, and the whole ethic of what one does with cities was substantially different in 1968 from what it is today.

At any rate, he made a number of proposals which effectively would have made development control a third level of control within the framework of the official plan and of local zoning bylaws.

However, the Ontario Law Reform Commission, which received his reports after he died, and which then went on to make proposals to the government, simply didn't buy that and instead came up with the rather halfhearted proposal we have now. The commission said that development control should be done as part of an overall review of the Planning Act. And unfortunately they began to say that in 1969 and finished saying it in 1971. It isn't until the end of 1973 that we can see our way to the creation of a task force on planning law which will do what the Law Reform Commission was urging the government to do two or three years ago.

We have as a parallel development over the course of the 1960s a form of development control which many of us on this side of the House found pretty difficult to take. That was the uncritical acceptance of anything proposed by developers in the form of spot zoning.

But that's changed now. The public has changed, the electorate has changed, municipal councils have changed. And those municipalities that were generally pro-developer back in the mid-1960s have now shifted. Where they are considering rezoning they do that as part of a bargaining process, in which they seek concessions from the developer commensurate with the advantage being given to him as part of the bargaining process.

Now back in the 1960s again, the OMB functioned as a protector of ratepayers, as a protector of citizens against rapacious developers and rapacious city councils. That has changed too, in the last two or three years, and since the retirement of Kennedy as chairman of the Municipal Board, the OMB has now emerged as in fact a protector for developers rather than a protector for citizens.

There has been the emergence in a number of cities, Mr. Speaker, of enormous concern about the quality of life and about the damages and ravages being wrought to our cities by unqualified, uncritical development and uncritical growth.

In Ottawa, in Kingston, in Toronto, you have had the emergence of a new form of development control through height control bylaws. These have normally been temporary as a means of aiding Part II neighbourhood studies under the Planning Act; or for that matter as a means of temporary and ad hoc

development control. In a way they're a bit of both.

You have now the emergence of permanent height controls in the annex area of Toronto. These are, in fact, a height control rather than a development control device, but they have been accepted as an accessory to zoning bylaws by the Ontario Municipal Board. And the precedent is now set for that permanent 38-ft limit.

In my own riding right now we have a bylaw going forward to the Ontario Municipal Board for a temporary 35-ft height limit in the residential areas of centre-town Ottawa. This in order to permit a planning process, without the thing being planned collapsing, disintegrating or being reformed and redeveloped under the eyes of the citizens as they try to come to grips with what kind of area they want to have.

But what's happened over this period of time, Mr. Speaker, is that the aims that local councils, local citizens, for that matter even local businessmen and small businessmen, merchants and so on, want to achieve, are much broader than what people were trying to achieve back in the 1960s when the thinking behind the Ontario Law Reform Commission proposals was developed. The Law Reform Commission proposals, which are reprinted almost verbatim in this bill, are a child of the 1960s.

At that time, when municipalities were not so bold about using their bargaining when spot zoning was involved. the municipalities started to get worried because they could squeeze nothing out of the developers. Either the fellow was working within the zoning bylaw, or else they didn't want to attach an agreement to a rezoning. The consequence was that they couldn't get perfectly ordinary and reasonable concessions from the developer; such as some contribution to road widening costs that were connected with his particular development; such as proper siting of the egress and ingress into the property; such as the snow clearance and the land drainage, and some of the other things that are specified in the bill.

So at that time they obviously needed, and their thinking would only go so far as, what we have in the bill today, which is a series of pretty specific and pretty limited provisions that the municipalities wanted in the 1960s, but felt frustrated about and found very difficult to get.

Now they've been learning over time, and I think there are very few municipalities now of any major size which haven't found a back-door route to achieving what will be theirs according to these development control provisions. In other words, they can get things like location of pedestrian walkways or location of driveways and things like that. They can get that even without these particular development control provisions.

But what they're after now, though, Mr. Speaker, goes much further than that. Let me try to illustrate by just citing some of the legislation that we have.

In the 1965 London bill, Mr. Speaker, the city of London was given the power—although it didn't really use it—to regulate and control facilities, and it named the following facilities: Access ramps between private land and the travelled portion of a public street; the grading of private lands; the disposal of storm and waste water; floodlighting; garbage vaults; central garbage storage; the surfacing of parking areas; walls, fences and other means of buffering between the site and any adjoining site; to provide for easements without cost and to provide for the construction and maintenance of certain works at the expense of the developer.

Mr. Singer: North York's been doing that for 25 years.

Mr. Cassidy: That's right. North York has been doing that for 25 years without the legislation. The one thing that's missing from that—

Mr. W. Hodgson (York North): Just catching up.

Mr. Cassidy: What's that?

Mr. W. Hodgson: All modern municipalities around here have been doing that, as the member for Downsview says, for 25 years, as they are supposed to do.

Mr. Cassidy: I say to the member for York North, the point I am making, though, is this that the city of London bill sought the power to do that in 1965. The legislation we have before us today is essentially the same as the legislation that London sought or what North York and other municipalities have been practising for 25 years.

Mr. W. Hodgson: Because the member doesn't know it.

Mr. Singer: The simple fact is that they don't pass the bylaw.

Mr. Cassidy: That's right. The problem, of course, is that in a number of cases if no zoning amendment is required, then there

may be difficulty in getting it. I acknowledge that. The point I am making, though, is that it isn't just that that is needed—

Mr. W. Hodgson: They were doing that before the member was born.

Mr. Cassidy: Well, quite possibly they were.

Mr. D. A. Paterson (Essex South): He was born?

Hon. W. A. Stewart (Minister of Agriculture and Food): Was he born?

Mr. M. B. Dymond (Ontario): He was brought in with the bath water.

Mr. Lawlor: But to get this government to pass legislation, he has to be reborn, go through a rebirth.

Mr. Cassidy: That's right.

Mr. W. Hodgson: He's reborn, is he?

Mr. Speaker: Order, please.

Mr. W. Hodgson: They made a bad job.

Mr. Speaker: Order, please.

Mr. Cassidy: The amendments that were proposed by Niagara Falls, Sault Ste. Marie and a number of other municipalities were essentially the same as those proposed by the city of London—this was back in 1968—except that they also did not provide for site plans.

The proposals made by the Law Reform Commission essentially accorded with what was proposed by London and what was proposed in the 1968 private bills—which the government rejected—with the one exception that site plans would also be required. That's what we have here today, with one exception.

In turn, I understand it is the intention of the government that, in addition to site plans, the legislation will also call for a certain degree of design control. I am not sure, because the amendment that was read out by the parliamentary assistant is completely ambiguous and very difficult to understand.

I have consulted his staff and they have told me what they meant to do and what the government meant to do when the new subsection (12) refers to "perspective drawings and plans showing building elevations and cross-sections of industrial and commercial buildings and larger residential buildings."

Now I believe that means design control. I wish the thing was clear. I gather that this does not mean height control, that this is not the intention of the government. Whether it means one can take a proposed tall, slim building and turn it into a short squat building with the same density is also not clear because of the ambiguity of these particular sections.

So, rather half-heartedly, rather imperfectly and in rather difficult prose, the government seems to have gone one weary step beyond what existed before under the proposals of the Law Reform Commission, which I remind the Speaker came down in 1971.

Mr. Singer: They have gone nowhere if one has to go to court to find out what it means.

Mr. Cassidy: If design control is what is intended, Mr. Speaker, I would also remind the assistant that design control has been a part of the Planning Act for probably 25 years; and with the exception of the city of Ottawa and one or two special bylaws, like the University Ave. bylaw in Toronto, it has not been taken up by the municipalities.

That is a fault on their part, I would maintain. We have experience of it in Ottawa; it works imperfectly, but it's better than nothing. It's a fault of the municipalities for not taking that up. But it's not exactly revolutionary to include design control in this particular development control law when those powers have already existed at the local level.

Mr. Speaker, the—just a minute now—

Mr. R. G. Eaton (Middlesex South): Where are all the member's buddies over there?

Mr. Cassidy: They are around, don't worry. I would like to give some examples now—

Interjection by an hon. member.

Mr. Cassidy: If the member doesn't watch out, I'll call a quorum again.

Interjections by hon. members.

Mr. Cassidy: You know, Mr. Speaker, this reflects the attitude of that party over there—the member for Middlesex and the other members there—they don't give a damn about this legislation; they simply—

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Cassidy: They don't give a darn; they won't listen; they keep on interrupting; they won't contribute a thing that is useful to the debate; they are sitting here because the

party whip told them to come in and sit in so he wouldn't have another quorum called.

Mr. Speaker: Order!

Mr. Cassidy: They only came in when a quorum was called; that was the only reason they came in.

Interjections by hon. members.

Mr. Speaker: Order!

Mr. Cassidy: Our members are down working on the Workmen's Compensation Board Act; they will be back in time to debate this particular bill.

Interjections by hon. members.

Mr. Lawlor: The reason I am here is I don't want to repeat anything.

Interjections by hon. members.

Mr. Cassidy: I thank the hon. members. I needed that pause in order to simply work my way through this speech, Mr. Speaker.

If the member for—is it Middlesex South or Middlesex North? I can never remember where he—

Mr. Eaton: Middlesex South. The member should remember that.

Mr. Cassidy: I should. I am afraid that I forget it very easily when it comes to that particular member. If he would bear with me, though, it is obvious that any speech that I may make today doesn't have any particular impact on the members opposite—

Mr. W. Hodgson: Or the member's own party!

Mr. Cassidy: —particularly given the calibre of those who have chosen to sit in today. However, I want to get a few of these remarks down on the record, Mr. Speaker, because I think it is an important bill. I don't like the superficial way it is being dealt with by the government, and I am just trying to get these comments down so that at least we can say that what needed to be said was said about the bill.

Mr. Speaker: Perhaps the member would stick to the principle of the bill.

Mr. Cassidy: When the Law Reform Commission delivered its report two years ago, Mr. Speaker, it stated that, and I quote:

> The whole concept of planning and development in Ontario appear to be in a state of flux. The issues that are being given serious consideration relate to fundamental operations of the social and economic structure of the province, and must involve studies and advice from planners, architects, economists, sociologists.

Therefore, the commission concluded that it would not make any major recommendations with respect to overall development control, nor with respect to the possible creation of a third level or regulation: "Until such time as more basic, political and philosophical problems are resolved."

Well, frankly, I think the real situation is that thinking differs in different parts of the province. Certainly Toronto is ready for development control in a very major way. Ottawa is too. I would imagine the city of London, which has been practising it on an ad hoc basis since about the mid-1960s, is ready for it too. I don't really know whether smaller communities in the province are ready for it. It should be there as an option for them, but in some cases they don't even have an official plan yet; or they do not have an updated and adequate zoning bylaw, and they clearly are not ready.

But, when you come to an area like Toronto or Ottawa, you are now beginning to cope with tremendous developments that create, if you will, micro-environments. Eaton's Fairview proposal, just south of here, the east of Bay St. proposal of the provincial government, the Metro Centre proposal, the big bank proposal for downtown Toronto; all of these go far beyond what can be regulated either by development control as proposed here, or that can be regulated by the powers that exist without a holding bylaw, without that kind of bargaining on behalf of the government.

Maybe the Speaker recalls that, in the case of Eaton's Fairview development, one of the major subjects in negotiation there was the matter of how much sunlight would go into the square around Holy Trinity Church—how much sunlight would go there at the spring and fall equinoxes as a means of ensuring that that square was mainly sunlit during the bulk of the year. Now, you can't write that into a development control regulation in the way in which is being proposed in this particular Legislature.

In the case of the Fairview project, the municipality was concerned as well about relocating services. They were concerned about whether or not density would be permitted for city lands being transferred to Fairview. They were concerned about connections with neighbouring department stores. They were

concerned about store frontages on Yonge St.; and that isn't provided in this particular proposal. They were concerned about planting; well, that might be covered under the landscaping provisions. They were concerned with a number of pedestrian entrances on Yonge St.; and that isn't covered in these particular provisions.

In the case of the Metro Centre, the city of Toronto sat down with the developer in an attempt to try and ensure, not just provision of parkland but also such things as the residential mix to ensure the development wouldn't be too exclusively in bachelor units.

Mr. Jessiman: The member for Lakeshore shouldn't leave or the member for Ottawa Centre will be there all by himself. He is there by himself—the only one, by himself. There is great interest by his own party.

Mr. A. Carruthers (Durham): Stay with it.

Mr. Cassidy: Okay, I can take on the members opposite all alone.

An hon. member: If it was just with his tongue, I think he could.

An hon. member: He is deserted by his own party.

Mr. Cassidy: In the case of Metro Centre, Mr. Speaker, there was an enormous amount of detailed requirements in that particular division—

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Cassidy: —which simply escapes—

Mr. Jessiman: He is the only one left. He is listening to himself. Keep talking.

Interjections by hon. members.

Mr. Jessiman: Keep talking.

Mr. Cassidy: The member for Fort William has got nothing behind those words that he utters but empty space.

Hon. Mr. Stewart: The member is surrounded by empty seats. There is not one of his party to stay and listen to him. Let it be recorded there is only one, and that is the member for Cochrane South.

An hon. member: He is the only socialist in the room.

Mr. Cassidy: Don't worry about that.

Interjections by hon. members.

Mr. Cassidy: Yes. I would bet the Minister of Agriculture and Food doesn't speak on this either. He should occasionally take an interest in urban problems just as members of our party are very notably taking an interest in rural problems.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Jessiman: Not a member of his party left. What great support he has got!

Mr. Speaker: Order. I can't find that in any section of this bill.

Mr. Jessiman: The member for Lakeshore is back.

Mr. Cassidy: What's that? Well, I can't find these comments in any section of this bill either, Mr. Speaker.

In the case of the Olympia and York development, Mr. Speaker, downtown just off University Ave.—

Interjections by hon. members.

Mr. Speaker: Order, please, that's not in the bill either.

Mr. Cassidy: In the case of the Olympia and York development, Mr. Speaker, the only powers of development control the city of Toronto had arose because of the accident that it controlled the lane. It was crucial to that particular development and it could, therefore, negotiate with the developer over that lane. There was no other way in which it could have done.

The city of Toronto has made development control proposals to the provincial government which would give it a true form of development control. It made those proposals back in 1968. They are presumably still before the province. They were ignored by the government when this particular bill came forward. Back in the spring, Mr. Speaker, the city of Toronto made proposals for demolition control rules. The members don't like that either because of their total adherence to the concept of private property. It doesn't matter whether cities are ripped apart as far as they're concerned as long as private property interests are respected. That is all that matters.

Mr. Turner: There is no such thing.

Mr. Cassidy: Let me tell the member for Middlesex South that things are changing in our cities right now and the people in our

cities want to ensure that those cities are fit for people.

It may be that they want to ensure that there are interesting stores at ground level. It may be that they want to ensure that there are pedestrian walkways. It may be that they want to ensure that there isn't a preponderance of banks and other financial institutions hugging the ground space and making the street level of those new buildings dead as far as people are concerned. It may be that they want to ensure that the downtown areas of the city are not exclusively devoted to one commercial use for offices and showrooms but that there continues to be a residential mix right near the downtown heart of the city.

These are the kinds of things that people are concerned about.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Is the member supporting the bill?

Mr. Cassidy: This bill won't do the job.

Hon. Mr. Lawrence: This bill will do the job perfectly well. That's what it's for.

Mr. Cassidy: Another point in the bill which the city of Toronto asked for and which it was promised a response to, Mr. Speaker, was the question of demolition control.

A number of members in the House today were down before the private bills committee, where a coalition between retrograde Conservatives and retrograde Liberals managed to defeat the demolition control powers requested by the city of Toronto after the committee had worked very productively, I would say, in improving the original proposals that were made by the city.

The city originally proposed that it should have power to stave off demolition for up to five years. That was cut down to two years, an appeal process was introduced and it's something that, I think, every member of the committee felt happier about. But when it came down to the crunch, though, the Liberal members and the Conservative members—most of them—simply couldn't bring themselves to understand that a two-year stay of demolition in order to permit adequate planning in a particular area was not unjustified interference with the rights of private property.

As far as they were concerned it was simply intolerable that somebody who had bought a property for speculative purposes shouldn't be allowed to tear it down, take his tax write-off, open it up as a parking lot and eventually use it for some kind of development which was totally incompatible and unacceptable in that particular community.

The problem is, though, that while there is sympathy in the ministry for demolition control, there is very little for that kind of step at the political level of the government. The ministry promised that legislation would come forward this fall in order to implement demolition control. That was the understanding of everybody I have talked to who attended the committee. That was the promise. Mr. Speaker, nothing has been done. There is no demolition control here.

I talked today with one of the executive aldermen of the city of Toronto who sort of shrugged his shoulders and said, "If that is the way they want to play it, that's too bad."

Mr. Lawlor: It is a breach of faith.

Mr. Cassidy: We will bring forward demolition-control legislation—

Mr. Lawlor: The minister said he would bring in legislation before then. How does he explain that?

Mr. Cassidy: —to the private bills committee again in the spring. How long does this charade have to go on, Mr. Speaker? Why is it that when the government came to a review of the Planning Act it could not have given the city of Toronto the demolition control powers which it so urgently needed? I know the member for Lakeshore will be talking a bit further about that in a few minutes.

Mr. Lawlor: The member has roused them.

Hon. Mr. Stewart: He has done that all afternoon.

Mr. Lawlor: Treacherous, Machiavellian people.

Mr. Cassidy: Let me just cite, Mr. Speaker, some of the kinds of problems which have led the city of Toronto to impose its own form of ad hoc development control by use of the 45-ft height bylaw. This is a September letter from Mayor Crombie to the building and development committee of the city in which he talks about the need to do the following things as far as new development in the city is concerned: Identify areas of change—that can be done under present legislation; no problem there. Establish priorities for detailed studies of the areas—that can be done as well.

I am sorry, I am reading the wrong thing here. The mayor stated:

> We do not have under existing legislation sufficient power to control development adequately. In cases where we are satisfied the development should proceed we cannot effectively control the form of the development, particularly with large-scale mixed-use developments involving a number of buildings.

The legislation before us here, Mr. Speaker, does not improve on that particular situation. "There have been any number of these in the centre of the city in the last few years," said the mayor, "like the Eaton Centre and the various bank developments."

He went on to talk about the specific things which, in his view, required the designation of the downtown and midtown areas of the city of Toronto as development control areas. They have done it their way; I think there should be a better way in legislation from this House. One of them is the lack of and continuing decrease in diversity of uses with almost exclusive concentration on office development. Another is the distribution of much of that development within limited parts of those areas with consequent overloading of transportation modes, for example, at the King and Yonge subways and at the Bloor and Yonge subways here in the city of Toronto.

There is the lack of variety in the form of buildings produced; extremely rapid rate of change in the fabric of the city in those areas, the hot spots of downtown development; the removal of large numbers of residential areas through demolitions and through conversions; the deficiency of open space; the unsatisfactory nature of open space provided by development with problems of wind and shadows; the physical bulk of new buildings; inadequate pedestrian ways and circulation both at grade and below street level; the proliferation in the downtown of a network of shopping malls, the form and design of which are completely unregulated; and the poor relationship of new buildings to public facilities, particularly transportation terminals.

Mr. Speaker, those are the areas in which the mayor of Toronto, who is obviously familiar with the problems of Toronto, says development control is urgently need. When one runs through them in comparison or conjunction with this Act one finds out the following:

That the decrease in diversity of uses in the downtown area cannot be regulated by the development control powers in this Act. Nor can the location of much of that development in certain areas, which overloads transportation facilities, such as around King and Yonge, and the line of banks along King and Wellington. That is not covered in these development control provisions.

The lack of variety in the form of buildings is not covered in this legislation; the extremely rapid rate of change in the fabric of the city isn't covered here, Mr. Speaker. There is no provision for phasing or for timing or for delaying a development because there is too much too soon going on in a particular area. The removal of large numbers of residential areas is not covered because there are no demolition control powers. The conversion of residential dwellings is not covered in this particular legislation; the deficiency of open space, Mr. Speaker, may on occasion be covered in the case of redevelopment as well as development under subdivision control. That is one out of six so far which is covered.

The unsatisfactory nature of open space provided by developments with the problem of wind and shadow is partially covered by the site plan control included in this legislation, but only partially covered. The physical bulk of new buildings; it's questionable whether that is covered, because there are no height controls involved here and there is no way that the overall density of a development can be covered under the development controls proposed in this legislation.

Inadequate pedestrian ways and circulations both at grade and below street level; it appears that the word "walkways" may cover that, Mr. Speaker. However, it is ambiguous as to whether, for example, underground pedestrian ways are covered; whether above-ground elevated pedestrian ways are covered; and whether the question of pedestrian circulation on a block-by-block basis is covered or is not.

The proliferation of shopping malls whose form and design are completely unregulated is not covered, it appears, in this particular legislation, unless they are covered by the provisions relating to walkways. And the poor relationship of new buildings to public facilities, particularly transportation terminals; that, Mr. Speaker, is not covered at all in this proposed legislation.

In other words, to what the city was seeking, when it comes to development controls, this legislation is almost totally irrelevant. The city has had to take another course, which is a 45-ft bylaw; Ottawa today has a 35-ft

bylaw; I'm sure other municipalities will seize on that device very quickly.

In a report last spring, again, the city proposed that development controls would include control over the shape and size of a development site; it is not covered in this legislation. The layout and form of the buildings, including their relationship with adjacent buildings, is only partially covered. The mixture of uses and activities within the buildings is a crucial point, Mr. Speaker, and it is not covered in this legislation. And then there is site plan control, access points and other matters, which apparently are covered.

So both the attempts that the city of Toronto has made to define development controls have been totally ignored in what the province is proposing in this particular legislation.

It so happens that there is a model of development control legislation which is available, Mr. Speaker, in the 1971 City of Winnipeg Act, which covers development controls in the city of Winnipeg. That, like this legislation, was a matter of provincial legislation.

In a development control area, Mr. Speaker, which is designated under the Act, in a development control area in Winnipeg, any change in use is covered under development controls. This extends to demolitions, to the removal or demolition of trees, to a reconstruction or major alteration of a building or structure, to a change in intensity of use of land, or to the alteration—let me see now, or even to the placing of an advertising structure or sign on land.

And, Mr. Speaker, you can't do things in a development control area in Winnipeg without getting development permissions. The development permissions are pretty wide in scope, but I'd just like to read them to the parliamentary assistant in the absence of the minister, because we happen to think that the Winnipeg legislation provided a good model and that it would have been a workable piece of legislation that would have met the needs of municipalities like Toronto and Ottawa, pending thorough review of the Planning Act.

In Winnipeg, as it happened, they threw out the zoning map wherever development control areas are created. That isn't necessary here in Toronto or in other major cities of the province.

Development control could, as Prof. Milner suggested, work as a third tier within the framework of official plans and of zoning bylaws, if necessary. However, the major conditions that may be a test to the development commission in Winnipeg relate, first, to the use of the land, building or structure; secondly, to its timing; thirdly, to its siting and design; fourthly to traffic control and provision of parking; fifthly to landscaping, open space and grading; and then there are some other points that are made as well. But the two areas not covered by provincial legislation before us tonight, Mr. Speaker, are the use of the land and the timing of the development. Until municipalities can sit down and negotiate with developers about the use of the land, they will effectively be really, really powerless.

An awful lot of the question of development control is just a matter of getting the developer down at a table with the municipality at a time before he's gone hard on the particular project. I hate to use Toronto examples all the time but the Metropolitan Toronto Library Board has just pulled a fast one on people in Toronto. It has come up with a proposal and says we have to go now, and is pushing for a very quick approval within a period of a month after the original design was unveiled. All the proceedings up until that time had been done in camera.

What we would like to see is a developer sit down with a municipality at a time when he's just making his land assembly and say, "Look, here are my ideas for this particular site". Let's suppose he wants to put up a 30-storey office building. Then we'd like to see the municipality in conjunction with interested people from the area, citizens merchants' groups, chambers of commerce, labour groups, whatever, sitting down with the developer and negotiating what is a desirable use and how the use of that land can be improved and how it can be fitted in with other uses in the area.

If there is a walkway system coming up to that part of the downtown area, then incorporate it into the building and incorporate retail space with it. If the development is on the fringe of the downtown area, then maybe incorporate some residential uses on the lower floors or on the upper floors. Maybe it is possible to put day care in; maybe it is possible to put public housing in.

Maybe the developer is indifferent as to whether he wants commercial or residential uses and he can be persuaded to use the building for residential uses. A quarter of it can be used for subsidized housing or co-operative housing. Maybe the developer and the public and the municipality can and should sit down and talk about the relationship with off-site services, how transportation

is going to be handled. Maybe there should be a bus base right in the middle of a building, which obviously won't be provided, if the developer gets his plan firmed up and then sits down with the municipality to get approval.

These are what you are talking about, and this is what municipalities are coming to with a change in thinking about the shape and nature of our cities, Mr. Speaker. This is what is not provided for in the provision that we have before us for development control. We find in the bill that not only is there no provision for all these things that I've outlined, there is also no provision for public participation even about the limited things which are involved here. We regret the absence of any powers to control demolition. We believe, in fact, that municipalities now should be given the same powers that they have over subdivision controls.

David Crombie doesn't particularly give a damn about subdivision control powers because there is little or no subdividing left to be done within the city limits of the city of Toronto. For that matter up in North York and Etobicoke and other parts of this area or in other municipalities around the province, it may well be that the concern is more with redevelopment of older areas than it is with subdivision controls.

It seems to us to be illogical that where there is a rezoning on the one hand, there is a major allowance for public input and a major allowance for negotiation between the developer and the public in which anything goes. They can talk about public housing content, they can talk about location to transportation facilities, they can talk about the shops on the ground floors and so on. Because the developer is seeking a favour from the municipality, he's got to sit down and talk about those things.

When it comes to subdivision, the developer has got to talk about all those things, too, if the municipality wants to put its foot down, for there is no public participation. When it comes down to a development within an existing zoning framework, up until now there has been almost nothing the municipality could talk about. Now, there is a limited list of hard service things that can be discussed with the developer, but there is no provision for public input and no provision for these other things I have mentioned, unless the municipality decides that it doesn't accept what the province is doing and comes in with a height control bylaw. That's simply inadequate, as far as we can see, Mr. Speaker.

We find very objectionable as well, the powers that are given to the OMB in the bill as we have it before us today. The government that mouths the slogans of local autonomy, as this government does from time to time, ought, it seems to me, to be willing to leave some decision-making powers at the local level. In this particular case it seems to me that the government should look at the experience of the 30-day requirement under the Planning Act as it exists right now.

The parliamentary assistant and his minister know perfectly well that if a developer goes to the OMB 31 days after having made an application to a municipality for a zoning change, or some other change, that the OMB has in the past normally accepted a municipality's explanation that it takes more than 30 days to work on the application, that they have a lot of work on their plate and they can't do it for another three or four months. The OMB has said to the developer, "Look, we are sorry. Go back, wait. If they don't come up with anything after three or four months, if you are convinced that they are deliberately stalling, then we will deal with it."

There's one exception to that and that is when the OMB, showing its new pro-developer colours, accepted the application from the Quebec-Gothic corporation within about 35 days after they made it to city hall. However, generally speaking, the 30 days is simply too limited a time period and it seems to me that that should have been clear to the government when it wrote 30 days into the Act.

Moreover, and in addition, when this particular section 10 comes into force—and it will come into force the day it receives royal assent—the government may then find a sort of flood-tide of developers applying to the OMB because they can't get what they want from the local municipality. They may be pressuring the municipality on the one hand to enact the general legislation and then rushing up to the OMB when they find that it can't cope with their applications. Now, I am not sure whether that argument makes entire sense—I am not convinced by it myself; that is a theoretical possibility under this particular bill.

But we are troubled by this. Let's suppose that a municipality establishes development control criteria, as it is allowed to do under section 10. Let's suppose that it does that and a number of developers do seize on the

opportunity and go off to the OMB. What's a city to do then?

The OMB should simply look at a proposal; if it feels that the city is being irrational about the requirements that it wants to put down, then the OMB should send it back to the city and say, "Look, we think you are being irrational for the following reasons. Now, will you sit down and negotiate with these guys?" And that should be enough. And the city, which almost by definition will have qualified planning staff, will then sit down and negotiate with the developer and come up with something that's more acceptable.

Maybe on the second round there should be power for a developer to go to the OMB and to seek a binding decision from the OMB because the city is unreasonable, but not on the first round. We don't like that. We don't like the fact that that whole process of going to the OMB is made without any reference to the public. We find that to be unacceptable and we suggest, in other words, that those particular sections be rewritten.

Frankly, Mr. Speaker, I would suggest to the parliamentary assistant that rather than do that, and given the fact that the hoist motion that has been proposed by the member for Downsview will probably be defeated given the number of people on that side of the House, then I would like to suggest very seriously to the minister and to the assistant that the development control sections of the Act be put off until spring. We think that they can do an awful lot better and I have been trying to indicate a number of ways in which they can do better. We would want them, specifically, to broaden the powers that are being given under subsection 3; to broaden the range of items over which development control extends; to extend the amount of time allowed to process an application and to negotiate an agreement to at least three months rather than the present one month.

We would like the minister to limit the powers granted to the OMB to permit it only to determine if the municipality has acted fairly or not, but not to permit the OMB to write the agreement and enforce it on the municipality. We would like to see provisions under which there would be guarantees of participation by all parties to the agreement —that is, not only by the developer and the municipality but also by interested citizens or by citizen groups.

That is what we would like to see, but if I can come back to the comments I made before about what the city of Toronto would like or what the city of Ottawa would like and what is happening right now with the use of holding bylaws and height control bylaws, I would suggest that this particular development control provision is seriously off the mark, Mr. Speaker. It is very seriously off the mark. The minister can do much better in three or four months time, Mr. Speaker, by consulting with people such as Prof. Hefferon at Osgoode Hall; with the executive aldermen of the city of Toronto; with the planning staff who are undoubtedly competent and have already made proposals; possibly with Michael Dennis, the mayor's adviser on these matters; with the chief planner and other people in the city of Ottawa; with planners such as John Leaning who is now responsible for the centre town development study or planning study in the city of Ottawa.

The urgency of this particular development control section is simply not proved, Mr. Speaker, if one takes a look at the fact. The whole process began back in 1965 with London's private bill; we have had studies in 1967 and 1969; the Law Reform Commission didn't report until 1971, although at that time people wanted quick answers and it is now late 1973 before we have a bill which will become law in very short order.

In fact, I misread the bill there. There are no development control areas provided here and it is possible, in other words, for developers to go scuttling up to the OMB right away, 30 days after this bill is given royal assent, because section 10 is one of the sections that comes into force. We seriously wonder, Mr. Speaker, whether the government shouldn't take this section out and do it again. We would support such a move by the government and it would have our support for the rest of the bill.

Interjection by an hon. member.

Mr. Cassidy: One has to get the government to do that; we can't do it. I'm just making a suggestion. I'm very glad that the hon. member for Timiskaming has supported that particular idea.

Mr. E. M. Havrot (Timiskaming): Aside from wasting the time of the House what does the member hope to accomplish?

Mr. Cassidy: I would suggest to him that that he talk to the hon. minister during the break in order that—

Mr. Havrot: He is talking to himself in this House, I'll tell him.

Mr. Cassidy: —that part of the bill be taken away. Mr. Speaker, I'd like to come to this question of the design control.

Mr. Lawlor: We recognized a long time ago that this was one huge soliloquy. To be or not to be; it doesn't make much difference in this House or elsewhere.

Mr. Havrot: All the member needs is a clown's outfit and he will be all set.

Mr. Cassidy: Mr. Speaker, the question about perspective drawings—

Mr. C. E. McIlveen (Oshawa): Don't give him any more information. He has talked too long now.

Mr. Cassidy: I want to speak on one or two specifics now. The questions of design control, which are meant to be covered in section 12, should be spelled out specifically if the government wants to go ahead with the bill at this time. I think also that amendments should be brought in in order to clarify the power as far as it concerns pedestrian systems of movement, that is walkways and so on. The present version which refers only to walkways is inadequate and there should be much more spelled out there within the limited degree to which the government has indicated it is ready to move.

There are a couple of other points here. We are concerned, Mr. Speaker, that the only person who may appeal an agreement made under this Act is the developer and we would like to see some kind of equality there, so that if an agreement is reached and local citizens of the municipality are unhappy with it, then they may go to the Municipal Board as well on the same kind of terms and conditions—and specifically outsiders, not just the municipality and the developer. In other words, this appeal shouldn't be open only to the developer.

There is an ambiguity in the legislation which states that the developer has the power to appeal to the OMB if he is not satisfied as to the terms of the agreement referred to. Now that is surely the terms of the proposed agreement, which has been put before him by the municipality. If that is the case then a simple amendment would correct that.

If it is not the case, then it seems to me that it opens the road to all kinds of havoc, where a developer, apparently in good faith, signs an agreement with the municipality about development controls which are within the ambit of this Act, and then decides a week or so later that he doesn't like it and goes tripping up to the OMB in order to appeal things that the municipality thought he had agreed to. That can only be described as double dealing, and we simply don't accept that kind of thing.

Mr. Speaker, may I stress at the end that we are not happy with the bill. We are afraid, among other things, that it may be used by the OMB as an excuse for striking down some of the height control bylaws which now provide a more effective form of development control than is provided in this particular bill.

Perhaps I can point out too, Mr. Speaker, that the best advice available to the government has come in the Ontario Economic Council's report, which has considered in advance the moves made by the government and has found them wanting, and has spoken specifically in reference to development controls as requiring a partial freeze on development decisions by landowners as an essential first step.

Mr. Speaker, I won't go into this in detail. However, they found that the proposals made by the Law Reform Commission simply didn't meet the needs that they could anticipate were developing in Ontario municipalities at this time. They were worried about public participation; they were worried that something better be done. They recommended specifically that designated municipalities which had the strength, the planning capability to handle it, be empowered to create development control areas, as has been done in Winnipeg and in England, and then to proceed with development control along the lines that I have outlined in the course of this speech.

The council recommended that the powers to impose a freeze should be granted by this Legislature, and not taken via the back door through height control bylaws, as is now being done in Ottawa and in Toronto and in other cities. Development, according to the Economic Council, should be broadly defined to include, not only construction and material change in the use of properties, but also the demolition of buildings and structures, the alteration of natural features, and the removal of trees.

That is the advice that the minister has had from this government, from the advisers who looked into it most closely, the people who wrote "Subject to Approval." And that is a darned fine report. A number of the people who wrote it, in fact, are in the little kitchen cabinet that meets with the Premier

from time to time to advise him on economic policies.

That threw the members, didn't it? They are good people.

Mr. I. Deans (Wentworth): The little kitchen.

Mr. Lewis: David Archer is one of them. And David Archer and the other people on that five- or six-man group that meets with the cabinet from time to time and talks about economic policy.

We know all about those secret meetings.

Mr. Cassidy: Yes, we know about the secret meeting. It is held once a month, isn't it? And we have been hoping the government would open those up.

But I am just saying that they are good people who have made those recommendations. They are people who have the Premier's ear and if they have the Premier's ear then maybe the Treasurer and his assistant should give ear to that too.

We would welcome a hoist on the development control powers in this bill for a few months, in order that adequate development control legislation could be brought into this Legislature in the spring.

Thank you very much Mr. Speaker.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Good: Mr. Speaker, there are a few matters concerning this bill about which I would like to speak, to reinforce the statements that it is most difficult to give adequate consideration to a bill of this nature in such a short period of time. I was able to get copies last week, late at night, and went home purposely to get copies of the bill distributed among people in my own riding to get comments. It was almost unbelievable to them that the bill possibly could have been up for second reading last Friday. I said, "Yes, that could happen. It could have even been up on Thursday."

However, we do now have the bill, Mr. Speaker, and I think the only logical way to deal with it is for the bill to be withdrawn and brought in three months from now in the new session so that there could be public representation.

As I mentioned in the House the other day, we are greatly lacking in the number of bills that go to standing committee so that we can have public representation. I think this is regrettable.

I think public participation in the bills, such as we used to have four, five or six years ago in this House, added a great deal. We had people coming of their own accord to give valuable, expert information and advice to the committee; and in many regards, bills were dealt with on a less partisan basis in committee after we heard the evidence of both sides.

In particular, Mr. Speaker, I think of the Expropriations Act, the Landlord and Tenant Act and the Mechanics' Lien Act. Those bills had a tremendous amount of public participation and they became the better bills because of it.

Regrettably, the way this is set up now, this can't happen. So I would ask, Mr. Speaker, that our three months' hoist be taken very seriously and considered by the government so that the bill could be brought back, with public participation perhaps being the main reason for bringing it back before a standing committee.

It's inconceivable, Mr. Speaker, that the minister should now want the powers to make modifications to the official plans as he sees fit and to cause the plans to become amended. Now, when we look at the exact wording of the bill before the deletions were made by this amendment, it said: "The minister shall settle any modifications as far as possible to the satisfaction of all concerned."

Mr. Deacon: That's a very democratic approach.

Mr. Good: Now, I personally don't see anything wrong with that wording, and I don't understand why those words are being deleted from the new bill and the minister is being given complete control and say as to what modifications will be made.

Mr. Singer: And without notice to anybody.

Mr. Good: This is especially of concern, Mr. Speaker, when we recognize the fact that there will be many official plans coming before the minister very shortly. The official plans of many of the regional governments will be coming in, and certainly I would like to think that there would be as much dialogue as possible and that as many things as possible would be settled to the satisfaction of all concerned. However, this will no longer be the case if that amendment goes through.

Some of the minor sections deal with the redevelopment plans now being approved by the minister rather than the OMB, and there will be the option whereby grants as well as loans can be made by the municipality under redevelopment plans. In residential areas I would think that would be particularly applicable and suitable.

Section 6 appears to me to be another attempt to plug the loopholes regarding the manner in which conveyance of land can be made without consent. If my memory serves me correctly, this is either the third or fourth time in the six years I've been here that we've tried to amend the Planning Act to plug the loopholes so that some smart lawyer can't get around the necessity for consent to a severance and get land conveyed in a manner which is going to cause problems.

Surely there is as much expertise in this Legislature as there is out in the day-to-day operation of transference of land. If there isn't, I suggest the Legislature should go out and seek the advice of people who are dealing in this from day to day. I am quite astounded that we have to make another attempt to try to plug this loophole, which has been going on for years.

Mr. Speaker, this would be an opportune time for me to stop my remarks, and I would move the adjournment of the debate.

It being 6 o'clock, p.m., the House took recess.

APPENDIX

(See page 6880)

Answers to written questions were tabled as follows:

1. *Mr. Bullbrook*—Inquiry of the ministry: What are the names of the nursing home operators who have been granted approval for construction of nursing home beds since January 1, 1972? How many beds is each operator constructing or has each operator constructed? Where are the beds located and when were the applications for construction approved in each case?

NURSING HOME BED APPROVALS

Name	County	Type of Const.	Beds Approved	Date Requested	Date Approved
Mrs. Gignac Northern N.H. Sault Ste. Marie, Ont.	Algoma	R	119	1970	April 4, 1972
Mr. Newbold Pinecrest N.H. Lucknow, Ont.	Bruce	R	17 20	May, 1971 April, 1972	April 7, 1972 July 25, 1973
Mr. W. Oltman Southampton	Bruce	R	20	July, 1972	Jan. 15, 1973
Dr. Seguin Madonna N.H. Orleans, Ont.	Carleton	N	50	May, 1972	Oct. 31, 1972
Mr. Barlin Beacon Hill Lodge Ottawa, Ont.	Carleton	E	123	Jan., 1972	Aug. 23, 1972
Mr. Brunet Laurier Manor N.H. Ottawa, Ont.	Carleton	R	89	Nov., 1972	June 15, 1973
Mr. Heon Kapuskasing N.H.	Cochrane	N	60	Jan., 1971	Jan. 13, 1972
Mr. Austin Austin's N.H.	Dufferin	E	6	Feb., 1972	Feb. 1, 1973
Mr. Marshall Dorset N.H. Port Hope	Durham	E	14	Mar., 1972	Nov. 22, 1972
Mr. Beaucage Strathaven N.H. Bowmanville, Ont.	Durham	R	15	April, 1972	Nov. 22, 1972
Mr. Lafontaine Hope Haven N.H. Port Hope, Ont.	Durham	R	28	Jan., 1971	Sept. 12, 1973
Mr. Nelson Nel Gor Castle N.H. Newcastle, Ont.	Durham	R	20	Dec., 1972	Sept. 12, 1973
Mr. E. J. Byrne Byrne N.H. St. Thomas, Ont.	Elgin	R	14 17	June, 1972	Nov. 22, 1973 Aug. 9, 1973

Name	County	Type of Const.	Beds Approved	Date Requested	Date Approved
Mrs. Jurecic J.A. N.H. St. Thomas, Ont.	Elgin	R	26	Aug., 1972	Jan. 15, 1973
Mr. Merklinger Country Village N.H. Woodslee, Ontario	Essex	E	22	April, 1972	Feb. 6, 1973
Mr. MacKay Extendicare N.H. Kingston, Ont.	Frontenac	N	150	Nov., 1972	Jan. 2, 1973
Mr. LaFontaine Alexandria, Ont.	Glengarry	N	70	1970	Aug. 27, 1973
Mr. Fader Hilltop N.H. Merrickville, Ont.	Grenville	R	30	Feb., 1973	Sept. 12, 1973
Mrs. Owen Meaford N.H.	Grey	R	22	June, 1972	Dec. 13, 1972
Mr. Good Segueen N.H. Hanover, Ont.	Grey	N	70	Sept., 1972	Feb. 22, 1973
Mr. Petersen Petersen N.H. Owen Sound, Ont.	Grey	R	6	Feb., 1973	Oct. 19, 1973
Mr. Bogue Madoc Manor N.H.	Hastings	E	10	May, 1971	Oct. 31, 1972
Mr. Horvath Centre Hastings N.H. Deloro, Ont.	Hastings	E	15	July, 1972	Oct. 31, 1972
Mr. Schelger Green Acres N.H. Trenton, Ont.	Hastings	R	16	April, 1973	May 9, 1973
Mr. Bond Victoria Lodge Belleville, Ont.	Hastings	R	35	Nov., 1972	Oct. 2, 1973
Brockville Hosp. Bd.	Leeds	N	75	Aug., 1972	Nov. 22, 1972
Mr. Switzer Switzer N.H. Odessa, Ont.	Lennox Addington	E	10	June, 1972	Nov. 22, 1972
Welland County General Hospital	Niagara	N	75	Aug., 1972	Dec. 20, 1973
Nairn Mennonite Church Board Craigholme N.H. —Aisla Craig London, Ont.	Middlesex	R	29	May, 1972	July 11, 1973
Extendicare N.H. London, Ont.	Middlesex	E	75	June, 1972	Nov. 23, 1972

Name	County	Type of Const.	Beds Approved	Date Requested	Date Approved
Mr. McKegney Delaware N.H. London, Ontario	Middlesex	E	20	July, 1972	July 11, 1973
Mr. Giffen Strathroy N.H. London, Ont.	Middlesex	E	8	May, 1972	Nov. 22, 1972
Mr. Good Queens Avenue Manor London, Ont.	Middlesex	R	30	Aug., 1972	Oct. 10, 1973
Norfolk County General Hospital Simcoe, Ont.	Norfolk	N	80	Sept., 1972	Jan. 15, 1973
Mr. Rumney Bon Air N.H. Cannington, Ont.	Ontario	R	31	June, 1972	Nov. 23, 1972
Mr. Lafontaine Community N.H. Port Perry, Ont.	Ontario	R	20	Feb., 1973	July 10, 1973
Mr. Kaniuk Stonecrest Lodge N.H. Woodstock, Ont.	Oxford	R	6 32	Aug., 1972 July, 1973	Nov. 22, 1972 Sept. 26, 1973
Mr. Schleger Don Ro N.H. Tavistock, Ont.	Oxford	E	14	May, 1972	Aug. 17, 1972
Mr. Draper Glenridge N.H.	Peel	R	13 18	April, 1973 April, 1973	Aug. 7, 1973 Sept. 17, 1973
Mrs. Murray Hillside Rest Home Stratford, Ont.	Perth	E	4	Sept., 1972	Jan. 2, 1973
Mrs. Smith Smith's N.H. St. Mary's, Ont.	Perth	E	4	May, 1972	Nov. 22, 1972
Mr. Sullivan Stratford N.H. Stratford, Ont.	Perth	E	32	May, 1971	Sept. 12, 1973
Mr. Paquette Lamarquette N.H.	Prescott	E	4	May, 1973	Sept. 12, 1973
Mr. McKee Uplands N.H.	Prince Edward	E	8	Sept., 1972	Nov. 22, 1972
Mr. Hepburn Hallowell House N.H.	Prince Edward	E	11	May, 1972	June 12, 1973
Mr. Fallis Kentwood N.H. Picton, Ont.	Prince Edward	E	17	Feb., 1973	Sept. 12, 1973
Pembroke Civic Hospital	Renfrew	N	50	Aug., 1972	Feb. 27, 1973

Name	County	Type of Const.	Beds Approved	Date Requested	Date Approved
Mr. Brisson LaPalme N.H. Embrun, Ont.	Russell	E	4	Nov., 1972	Mar. 7, 1973
St. Jacques Embrun, Ont.	Russell	E	5	Jan., 1973	Mar. 18, 1973
Jay Haro N.H. Coldwater, Ont.	Simcoe	E	14	May, 1971	June 28, 1971
Creedan Valley N.H. Creemore, Ont.	Simcoe	R	18	Nov., 1972	July 11, 1973
The Villa N.H. Midland, Ont.	Simcoe	E	41	June, 1971	Sept. 24, 1973
St. Lawrence Sanatorium Cornwall, Ont.	Stormont	E	15	Sept., 1971	June 23, 1972
Mrs. Kinnear Marlborough Cornwall, Ont.	Stormont	E	15	May, 1973	June 21, 1973
Dr. Parisien Parisien Manor Cornwall, Ont.	Stormont	E	7	April, 1973	Sept. 12, 1973
Mr. Martin Sudbury N.H. Limited	Sudbury	N	288	May, 1971	Dec. 20, 1971
Mr. Heon Tri-Town N.H. Haileybury, Ont.	Timiskaming	N	60	Jan., 1971	Jan. 4, 1972
Mr. Case Case Manor N.H. Bobcaygeon, Ont.	Victoria	R	31	Jan., 1973	Sept. 12, 1973
Mr. Southwood Southwood N.H.	Waterloo	E	2	Oct., 1972	Jan. 2, 1973
Mrs. Laderoute Spruce Haven Lodge	Waterloo	R	14	Nov., 1971	June 20, 1973
Mr. Ing Inglebrook N.H. Fergus, Ont.	Wellington	R	27 12	May, 1971 Mar., 1973	Feb. 22, 1972 July 5, 1973
Mr. Brodie Resthaven N.H. Fruitland, Ont.	Wentworth	E	25	Feb., 1973	June 13, 1973
Mrs. Unger St. Olga's N.H. Hamilton, Ont.	Wentworth	R	30	May, 1971	Sept., 1972
Mrs. Carey Proctor Manor N.H. Hamilton, Ont.	Wentworth	E	3	Nov., 1972	Jan. 2, 1973

Name	County	Type of Const.	Beds Approved	Date Requested	Date Approved
Mrs. Blackadar Blackadar N.H. Dundas, Ont.	Wentworth	E	52	Nov., 1972	July 13, 1973
Central Park Lodges	Etobicoke	R	26	Mar., 1973	May 2, 1973
Mr. Miesels Kennedy Lodge	Scarborough	N	245	1970	Feb. 6, 1973
Mr. Campbell North Park N.H.	North York	R	56	Sept., 1971	July 17, 1973
Extendicare North York	North York	E	75	June, 1972	Nov. 23, 1972
Mr. Pennelli Elm Tree N.H.	North York	E	21	Nov., 1972	Sept. 12, 1973
Mr. J. Weinstock	York Borough	N	260		May 15, 1972
Dr. Sebald Norwood N.H.	Toronto City	E	6	April, 1972	May 31, 1972
Mr. McLean St. Raphael's N.H.	Toronto	R	22	May, 1973	July 11, 1973
Mr. Cooper Cooper N.H. Newmarket	York Regional	E	3	June, 1972	Dec. 29, 1972
Mr. Grant Newmarket N.H. Newmarket, Ont.	York	E	8	Jan., 1973	Jan. 11, 1973
Mr. Ryan Town & Country N.H. Thornhill, Ont.	York	R	13	July, 1972	Oct. 18, 1972
Mrs. Martin Martin Manor N.H. Newmarket, Ont.	York	R	2	July, 1972	Jan. 11, 1973
Mrs. Watson Aurora Rest Haven N.H. Aurora, Ont.	York	R	17	May, 1972	Jan. 11, 1973
Mr. Rosenberg Willows Estate N.H. Aurora, Ont.	York	E	13	April, 1973	Sept. 19, 1973

R — Replacement of present facilities
E — Expansion of existing facilities
N — New construction

32. *Mr. Nixon (Brant)*—Inquiry of the Ministry:

1. Using the definitions of the various funds as used in the answers to question 24 on the order paper tabled on June 22, 1973, is it the opinion of the Workmen's Compensation Board's legal counsel that

(a) The moneys of the reserve fund and the lump sum fund may be invested only in investments allowed in the Trustee Act and that, therefore, an investment in land is not permitted?

(b) That the superannuation fund may not be invested in one parcel of real estate which exceeds in value two per cent of the total assets of the fund, that is, which exceeds $608,596 at year-end 1971?

(c) Has the opinion of legal counsel been sought as to what the moneys of the various funds can properly be invested in?

2. Considering the purpose for which the special fund was established (". . . to meet the loss arising from any disaster or other circumstance") would investment of a major portion of this fund in an illiquid investment such as land be contrary to the purpose of the fund?

3. Is it the opinion of the Workmen's Compensation Board's accountants that the board's 1971 annual statement shows that the accident fund, exclusive of the reserve fund and special fund, was not used to purchase the land for the board's new headquarters costing $6,389,600?

4. If the answer to question 3 is yes, is it not true that the land in question was purchased through the use of moneys from one of the other funds, which use of these funds is either ill-advised, as in the case of the special fund, or not permitted, as in the case of the reserve fund, superannuation fund or lump sum fund?

5. Are the moneys of the accident fund, including the reserve and special funds, pooled for investment purposes? If so, is it possible for the minister to assure the House that no moneys of the special fund were invested in the purchase of the land in question?

1. (a) In the opinion of the board's legal counsel, an investment in land is permitted under powers granted to the board under section 69 of the Act, having regard also to the provisions of sections 82 and 84.

(b) The moneys of the superannuation fund have never been used for the purchase of real property.

(c) Yes, see answer to 1 (a) above.

2. The degree of asset liquidity maintained in the accident fund (which includes the special fund) is designed to meet total schedule 1 requirements. Allocation of a portion of the fund to a long-term investment such as land would not impair this liquidity.

3. The board's accountants confirm the land in question was purchased from the accident fund which is established by the sources and applications of the board's funds and analysis of the board's 1971 annual statement.

4. See answers to 1 (a) and 3 above.

5. The moneys of the accident fund are pooled for investment purposes. The purchase of the land in question was made from this fund without encroaching on moneys relating to the special fund.

36. *Mr. Spence*—Inquiry of the Ministry: How many summer homes have been purchased by the government in Rondeau Provincial Park, and what is the total expenditure involved to date?

	Properties purchased	Cost
Previous years	83	$624,233.00
1973-1974	25	295,148.00
Total	108	$919,381.00

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No. 162



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Monday, December 10, 1973

Evening Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

OFFICE OF THE SPEAKER
PARLIAMENT BUILDINGS, TORONTO
1973



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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 10, 1973

The House resumed at 8 o'clock, p.m.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): I'd like to draw to the attention of the press gallery that there isn't one NDP member in his seat.

Mr. L. C. Henderson (Lambton): Mr. Speaker, may I take this opportunity to report to the House that at this moment, 8:01 o'clock, p.m., Dec. 10, there is no representative of the New Democratic Party in this House.

Mr. Speaker: That's repetitious. The hon. member for Waterloo North.

PLANNING ACT
(*concluded*)

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. Actually it doesn't bother me to whom I speak. When one has a conviction to say something, you get it off your chest, and that is the most important thing.

I was talking, Mr. Speaker, before the supper hour, about the fact that it seems very strange to me that this is about our third or fourth attempt at plugging the loopholes that have developed over the years, whereby lands have been conveyed without the necessity of consent to the severances. I can remember when the present Attorney General (Mr. Bales) was Minister of Municipal Affairs and made an amendment to the same section of the Act and thought that the matter had been accomplished. I remember at the time one of the lawyers in our own caucus tried to explain to me the legal reasoning behind the amendment. He thought that this would perhaps do the job, but evidently it hasn't, because we find that it's now necessary to bring in another three paragraphs of amendments to try to prohibit the passage and conveyance of land without proper consent for severance.

This, of course, has been the basis on which the checkerboarding around the province has been done and why people have been able to convey land and get away with it. As a result, because of this and what is commonly known as a checkerboarding process, whereby the deeds to land are staggered in such a manner that no two pieces are adjacent when they are held by the same owner, we find that many people are not—

Mr. Henderson: Hurrah for the member for Lakeshore (Mr. Lawlor)! Give him a hand. He is the first NDP member here tonight.

Mr. Good: —sure whether or not they have valid titles. This has been a great concern to many people who have paid good money, and who thought they were buying a piece of land which would be of some use to them in years to come. Then they find that a cloud of doubt has developed over the validity of the title and the deed which they possess.

This has been spoken of on numerous occasions in the Legislature and we find that the ministry has now come up with a process which it deems will be acceptable to validate the titles on these lands where there is a question of the validity of the title.

I must agree with the member for Downsview (Mr. Singer) that the procedure to validate a title would appear to be a very complicated thing, first of all because of the doubt which exists as to which titles, in fact, need to be validated. To throw this onus on to the councillors and the municipal clerk in the rural areas, where most of this checkerboarding is taking place, seems to be a strange way to do this. I would think that the government would proceed in a direct and positive manner, from the top level, to eliminate the problems which have developed because of its own legislation.

I think there is quite a parallel here with the situation which presently exists in Century City. At first, when I read this bill, I thought there was going to be some help for those poor farmers there whose titles have been in such doubt and whose mortgages are in question—the legality of their mortgages. As a result—as you remember, Mr. Speaker, I detailed this at some length in my Throne Speech last spring—the municipality has received no taxes on the land and the farmers

have received no payments on their mortgages. They are unable to foreclose their mortgages but I cannot see anything in this bill which is going to correct that situation.

I bring it up because I think there is quite a parallel here and in my view, the action would have to come directly from the top of government down to the situations which exist.

We shouldn't have to rely on the municipal government to start the action to correct the situation which resulted from faulty legislation in the first place. I'm disappointed here, Mr. Speaker, that people have to go through the procedure of trying to convince the local council first that some action needs to be taken. I am sure, as the member for Downsview stated, that many of the local councils will be rather reluctant to move in on the situation. They probably don't have sophisticated legal mechanisms at their disposal and they will have to hire legal advice to find out whether the person coming to them has a valid case, and whether they should pass bylaws asking the minister.

Of course, the other matter is that the municipality will have permission to attach whatever conditions it sees fit to the passage of this bylaw. I really can't see that this is going to be the answer to validating the titles for those persons who were unfortunate enough to get caught in this trap of checkerboarding and questionable titles.

I don't want to dwell on too many other sections of the Act except to get back to the matter of the redevelopment agreement. As has been stated before, the definition of redevelopment in section 22 specifies that that applies only to that section. I presume there would be some relationship between redevelopment agreements as expressed in this section, but it doesn't say that. We wonder what will be included in the redevelopment agreements and whether every minor variance which is going to be required could be interpreted as requiring a redevelopment agreement.

One aspect of this which intrigued me was the results of the meeting of the 11 regional chairmen last Friday with the provincial Treasurer and Minister of Economics and Intergovernmental Affairs (Mr. White). The headline came out in the Kitchener paper: "Law Change Now Puts an End to Land Blackmail Control."

I think we're all aware of how municipalities for years have used a form of illegal blackmail to get from persons certain concessions and certain considerations that the municipalities wanted very badly. In order to grant a severance or to grant a zone change there was the underhanded method of saying, "We will give you what you want if you give us what we want."

I have always been opposed to that. I've spoken of it at different times because I feel that each transaction should stand on its own merits. If a severance is going to be allowed, it should be given on the merits of whether it's advisable to have two lots there instead of one. If a zone change is going to be granted, it should be given on the merits of whether it's advisable to change that zone. If there's going to be a subdivision or a development agreement, it should be given on the merits of what that agreement is going to be between the municipality and the person who wants the agreement.

I agree that this is a better way of operating than spot zone changing throughout the municipality because under this method the municipality does get a better agreement with the developer in that area.

However, the chairman of Waterloo region, after meeting with the minister last Friday, said these changes in the law would now put an end to land blackmail control. Well, he suggests that this was being done previously as a means of blackmail, as he called it: If you do this for the municipality, they will do a favour for you.

I agree that it is better to spell out what can go into a development agreement, but certainly it's going to be used in the same manner except that now, instead of being illegal blackmail, it will now be legalized. That is fine as long as it's done within the confines of the present zoning bylaws. But if these provisions, as they're set out here, are used to limit the restrictions that would be allowed within the zoning agreement, then I think the municipality should be called to task. We can't tell how this is going to be interpreted, and until such time as there is a confrontation between a municipality and a developer, we really won't know because of the ambiguity of that section of the Act.

The dedication now allowed under development and redevelopment agreements, whereby the municipality can ask for a dedication of five per cent of land for park purposes and more if the density is higher, certainly is a good point and I think the municipalities will appreciate that.

Turning to the section dealing with the delegation of powers from the province to the municipalities, I remember well that we talked of this when we put through the Niag-

ara bill. As the parliamentary assistant (Mr. Irvine) is aware, the sections in all the regional municipal bills that dealt with the transfer of power from the province to the regions are all being repealed and the transference of power now appears in general legislation.

At the time, we asked the then Minister of Municipal Affairs, the member for Chatham-Kent (Mr. McKeough), what the time schedule would be after an official plan had been approved; how soon did he think he would delegate certain powers back to the municipality? It must be three years ago now, I presume, that we passed that bill in the middle of the night, at about 2 or 3 o'clock in the morning.

Mr. M. Cassidy (Ottawa Centre): That is when they usually go through.

Mr. Good: The usual time, yes—and it was impossible to get any timetable of the events from the minister. He said it would depend on how sophisticated they figured the council would be, how soon they got their official plans completed and whether it was within the time as set out in the bill. Now we find the same thing is being applied here. The minister is given authority to delegate any authority which the minister holds under this Act to the council, and "all the powers and rights of the minister in respect thereof and the council shall be responsible for all matters pertaining thereto."

I believe the minister has indicated that the first powers given would be regarding plans of subdivision or plans of condominium, and official plan amendments would be delegated down to the municipality. But as the headline in the Kitchener paper said Friday night: "Ontario Keeps an Ace Card in Dealing with the Regional Government Powers."

In other words, what the government is saying is: "We are going to give them to you, but we are going to retain the right to take them back any time we wish if we see fit. And, in fact, if we think there is a big deal going on in your area, a big subdivision or something which you can't handle, we are going to reserve the right to step in and look after that too."

Another thing not mentioned in the bill either, Mr. Speaker, is any word as to the provision of funds to the municipality for doing the work which is now done by the community planning branch in the ministry. I think someone should have a word on that—whether there is going to be a transfer of funds to the municipality.

I am a firm believer in giving the municipality these powers. I think this is right; we have spoken about it for a long time. I think many municipalities in the province are very sophisticated. They have good planning records. They have had good planning boards in the past, and things have been working along very satisfactorily. These governments, I think, will receive this responsibility and do a good job.

But I am very much concerned about the provisions provided in the next section, where the municipality can delegate any of the authority they have received to an appointed officer. This in my view, Mr. Speaker, is simply a terrible way to handle this legislation.

I know it sounds very ridiculous to say, "Well, why couldn't the planning director do this?" Undoubtedly, we admit, the planning director is going to be consulted before the council will make a decision. But in the final analysis, Mr. Speaker, it has to be the council of the municipality that takes the final authority and the final responsibility for, we'll say, the approval of a plan of subdivision.

Now, if this is left to one individual and I can imagine there are individuals across the province who will love to get this authority. I think this is evident by the fact that the report which was prepared by the provincial task force, which included the member for Grenville-Dundas and the Treasurer, also included Mr. Wronski, the Metro Toronto planning director; Mr. Pound, the York region planning commissioner; and Mr. Taylor and Mr. Bain of the ministry.

I can well imagine our planning director in Waterloo region would have said the same thing: "Delegate the authority from council to an officer in the region." And undoubtedly these people were thinking it will be they who will get this ultimate authority. But, Mr. Speaker, I just don't think it is good democratic procedure to take authority away from a council, or to allow them to pass that authority on to an individual. I think the public will cry out against this procedure.

Mr. D. R. Irvine (Grenville-Dundas): Right.

Mr. V. M. Singer (Downsview): The parliamentary assistant agrees. He wants it.

Mr. Good: The public will be quite happy to take the decision of council. They can go back and argue with council. But when one of the backroom officials of the region, or the municipality, has made the decision and said: "I am sorry, that's what it is and that's the

way it is; my council has faith in me." How do you get to him? You can't.

Mr. Singer: Even the impartial Speaker agrees.

Mr. Good: Mr. Speaker, I think this provision in the Act has got to come out. To give the public the proper sense of the fact that their decisions are being dealt with fairly, the ultimate authority has got to rest with the council and no one else.

The public can get to a council. It can reason with them. It can appear as a delegation before them. The press will cover the reasons for the delegation. The press will bring it to light if there is any problem involved, and certainly the council is going to have to discuss the matter.

The council is going to have to get direction from its planning staff and from its officials and from those who are knowledgeable in the matter, but the ultimate authority must rest with council in order that the public doesn't feel that a one-man bureaucracy is being set up to control all the plans of subdivision, the amendments to the official plan, zone changes and everything else. This has got to rest with the municipal council and not with a municipal official.

On that basis alone, Mr. Speaker, I think the bill must go back and be introduced three months hence, and that provision of delegation of authority must be taken from it.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Thank you, Mr. Speaker.

I was wondering, while carousing with the minister in charge of this particular piece of legislation within the recent past, as to what peculiarity or eccentricity of personality it is that brings down upon his head all the controversial legislation, all the legislation that takes time, and what causes his peculiar penchant of shoving it over until the dying hours of the session.

This minister, Mr. Speaker, I think you will agree with me, is the stormy petrel of the Conservative Party—a bit of many kinds of birds, by the way, but a bit of an albatross about its neck at the same time. But ever since the hour he was appointed to this post, in bill after bill, in instance after instance—from electricity tax to imposing coercive, Draconian decrees over great swathes of the Province of Ontario—in all these regards he's been the focal point of the storm.

Again, the storm isn't of very high intensity tonight, but we may work ourselves into a minor whirlwind before we are through. Yet the storm is with us again in this particular Planning Act legislation.

Mr. Speaker, take a look at the history of the legislation—bringing in the rectification sections here to make valid, to place the sanctimonious and somewhat unctuous wet hand of the minister on all the conveyances that have been made, the hundreds of conveyances throughout this province under the checkerboarding principle — and the reason that they are forced into this position tonight.

We recommended it. I've been speaking for some time, particularly to the Attorney General, about moving in this area, because there are just too many titles that are under question in the province. That situation cannot be allowed to continue.

But the government is the author too, and has been the author over a number of years, of the very vice that it seeks somehow to purify this evening. Namely, in 1969, as the Treasurer well knows, the Hon. Leslie Rowntree, as he then was, went out to a firm of Fraser and Beatty, one of the large firms in Toronto, to get deliberate counsel's opinion as to the validity of these titles. He received back a report which he always refused to table in the Legislature—and which we haven't seen to this day, but which was paid for in sizable quantity out of public funds and therefore we really should have been entitled to that legal opinion, so that we might on our own hook peruse it. But anyhow, the opinion said that unless certain moves were made with section 26, which later became section 29 of the Planning Act, then this situation would go on apace.

Already great evils had been inflicted upon us, but worse was yet to come. At that stage, the argus-eyed government so to speak, with one great eye, blinked its blind eye and saw nothing and the thing for four years now has worsened and ripened on the vine and has bred a vile-smelling and worse-tasting fruit. So much so, that the government requires to go to great lengths to rectify a situation it created itself, and now places its sanctimonious paw over the perversion of the past while doing nothing, as has been pointed out in this House earlier, toward rectifying the situation into the future.

I mean, the checkerboarding principle still exists. Various devices with respect to deeds, to uses and to trustees are still being utilized. What is the government going to do? Come along in another three years and again bless

all the acts that are going on at the present time?

In what way has the minister effectively moved in on the thing, admitting that he can't allow people, whom his own dereliction caused to suffer financial and other losses to continue to suffer those losses? Surely responsible public servants would think it would be in order not to have to do this in perpetuity, age after age, but would move in on the situation with some deliberate speed and close those loopholes? It can be done. The principles involved in all this are not all that difficult.

One may be a bit paralysed by the decision under the Constitutional Questions Act arising out of the Whiterock Estates development imbroglio, but when one really gets down to the hard tacks of the thing as, for instance the Supreme Court of Canada did in the Forfar decision, a relatively clear, simple fact situation is involved. Can a man convey property to the lawyer's secretary, reserving for himself powers of appointment and disposition of that property into ulterior hands? The decision of the Court of Appeal and the decision of the Supreme Court of Canada was that he couldn't.

I wouldn't have thought that would require all the mixture of that grey matter to come to a decision of that kind, reading the Act as it stood and as it stands and even as it was in those times. Sometimes, as in the Whiterock decisions, I must say—and this is a fairly deliberate attack on the Court of Appeal for Ontario—that they deliberately go to great lengths to misconstrue our legislation. There is some kind of antipathy between the courts of the province and the Legislature so that if they can outflank us or pretend to find, on the literal wording of legislation, that we are somehow deficient that puts a kind of feather in their bonnet, and they parade like cock-a-doodle-dandy down University Ave. on the way to work.

I don't think if one construes the legislation in any sensible way that this particular machination was necessary or indeed, in law, permissible.

One reads the constitutional questions case in which, all the court cases having expired and died in some kind of hallucinatory limbo, the government of Ontario, in its trepidation, its fear of moving in any direction, referred the matter to the judges. In the course of the thing, the judges, instead of invoking any number of rules of law—for instance, the rule in Heydon's Case, 1584; it has been around quite a long time that particular rule. It's called the mischief rule.

The question the court asked itself is, what was the mischief that was sought to be cured by the legislation? In approaching it in that particular way it would get into what is called over here the spirit of the legislation rather than its literal wording. That rule has been applied in a hundred thousand cases in British law but the court rejected it and said "No, we are going to be simple-minded. We are not going to apply what is called the golden rule, which is supposed to get at the true intent and meaning of legislation or the mischief rule. No, we're going to apply the literal rule."

This is the rule that caused the seven years war and various forms of antipathy between the Catholics and Protestants and among the Protestants themselves and numerous Catholics. It happens every time anybody applies a literal reading to anything, including the rules of this House incidentally. Mr. Speaker, that is a stark fallacy and a falling into simple-mindedness. I am thinking of a particular occasion in which I was the only one who took a particular position.

Mr. C. E. McIlveen (Oshawa): Just because the member was reading.

Mr. Lawlor: In any event—No, no; I read only too well.

Mr. Speaker: I am not sure if that language is parliamentary.

Mr. Lawlor: You have to read between the lines. Having got thus far in the legislation—

Mr. J. E. Foulds (Port Arthur): It is far too polite to be parliamentary.

Mr. Lawlor: —the legislation therefore seeks to give some validity now to these titles to wipe out the effects of the Whiterock Estates Ltd. raid on the citizenry's purse. At one point in the game, you know, a Globe and Mail article in 1971—this is a long outstanding and going-on matter in this House—it was pointed out that the best week that these people had, they made $2 million. Mr. Bluestein estimated that on good days his salesmen sold lots to half the people coming on the company-provided buses; two million bucks in one week.

Our taxation takes no real account of these gains that were made and that they sold blatantly in the teeth of the statute. We are forced to come along after the event to bless what was a piece of grim and exploitative banditry in the province in this particular regard. Having then done that, still, as I say, the loopholes remain and are gaping wide.

The courts again seem to make a simplistic interpretation, by way of literally taking the words of the statute. They seem to say this is all some kind of game. In their somnolent wisdom they collectively lay back their heads and, looking straight at the ceiling of the Court of Appeal, say: "Well, you know, that the art of conveyancing has been around for many centuries now and we have a kind of a sneaking regard or a feeling that these people who are so tricky and so clever as to circumvent legislation ought to be given a little premium into the bargain. The business has been going on for centuries, on all occasions down through history. Conveyancers have been adroit enough to get around your legislation or go through the middle of it with a coach-and-four and we can see no reason why this particular piece of legerdemain should stop. And we give our nodding consent to what is going on and recognize its validity."

I think that as legislation develops through the province and a sense of the public good becomes more pervasive, that that kind of regard, either with respect to tax avoidance or evasion—and they are pretty much the same thing—or with respect to getting around planning legislation of this kind by the same adroit machinations that they have used, ought not to be given that credence; ought not to be affirmed and somehow sanctified as though that particular kind of cleverness ought to be rewarded. On the contrary, it's part of the public duty of the courts and within the ambit of the legislation and the spirit of the legislation as regards the mischief it's trying to cure.

We have gone to the length in this Legislature of passing a special section into the Interpretation Act which directs the courts to try and delve out the true intent and purpose of legislation. That's in no other jurisdiction that I know about. They don't do it in Great Britain, but here we have done it and they just sloughed off that section as though it didn't exist.

In this particular regard, it seemed to me they were not cognizant enough, not enough aware, of the needs and necessity of contemporary planning and the needs of the province with respect to the drafting of this kind of legislation which, when you get down to it, is complex in the extreme. To take that particular position at that level of intelligence seems to me a sort of undermining of the process of the House. And this is done all the time. In another judgement that I saw in the area of corporation law, it was done even more blatantly—and this is very recent.

Why should this antagonism exist? Why not existing between the higher courts—or any of the courts—and the legislative body as to its a spirit of co-operation and an understanding intent? This is a silly business, this, of the courts cutting themselves off from the fundamental bases of interpretation, namely even a glance at Hansard, which they have to do surreptitiously. They listen to the argument of the court, to the opposing counsel contend; then they adjourn the court for 15 minutes, rush out for a copy of Hansard and glimpse at it. Then they come back to the court, having perused what we have said but being totally unable to refer to it or to make mention that this particularly obnoxious tome called Hansard could even possibly be referred to as a basis to catch what is the spirit of the legislation.

Fundamentally, I think that on most issues there is a core of assent in the House as to what we are after. Whether we agree that the end result should be reached or not, what we are talking about is fairly evident and what we are seeking to do is given great accord on all sides of the House.

Even the hon. member for Downsview knows what we are trying to do in this particular legislation; it is just that he finds it unpalatable. It runs against his 17th-century prejudices. But leaving little things aside—

Mr. J. R. Breithaupt (Kitchener): At least that is a hundred years later than Heydon's Case.

Mr. Lawlor: The courts seem to think all of this is a sort of game; something you play with, something where the fellow with the strategem wins out in the end and has to be accorded his due. I don't think it is a game at all. I think it is a deadly serious business which costs the province, the treasury and the many people concerned great deals of money and, more than money, anxiety, which cannot be paid for. It ought not to play fast and loose with planning legislation or with legislation at all. It ought to subserve that as best it knows how in bringing about an overall just result and one that will have a redounding effect on the whole community at large and not on the heads of a privileged few as the legislation has tended to do and as the interpretations have made evident over the last period of time.

I do agree very much with the remarks of the hon. member for Downsview, not under the head of the rectification of the titles; that had to be done. There is simply no way around it; it has gone too far. People's positions have to be clarified. They can't live in

this legalistic limbo forever, and they have done so for many years now.

Nor do I fundamentally agree—this is now my personal opinion; I don't know whether others agree with it—that we are wrong in delegating that power off to the local municipalities because, after all, this particular practice is very diverse. It is not just around Peterborough or just north of Oshawa or located over London way. This is a fairly wide-reaching phenomenon in the province, done in a diversity of ways; and the way in which Whiterock pulls the deal is far more subtle and far more ingenious than anything poor old Forfar and his lawyers were able to come up with.

An hon. member: Right.

Mr. Lawlor: They followed a single decision of the court here in 1971. They thought a decision by a lower court judge ought to give them guidance, so they imitated precisely what happened in that case, and the case came out affirming that a building permit had to be issued out of the municipality. But that was their mistake, because up at the Supreme Court of Canada they said, "Well now, listen, we are not bound by a decision of a single judge, particularly of so recent date. Weren't you all very foolish to proceed on the basis of a court decision which hasn't got great longevity to support its cause. We are simply going to ignore it. It hasn't any validity in this court; that is the end of the matter. Your clients can suffer the full consequences". So, following it by a mere imitatory way, I suppose, considerable harm was done to Mr. Forfar in his decisions and what he attempted to do.

Whiterock, I say, is a different bird; there, ingenuity was really exercised and is exercised today. I see no reason to believe that the use of the trust concept and the division of properties along these lines—provided that the properties don't come back to adjoining owners somewhere along the line, which then would require segregation. While that particular practice can't go on, I suspect it still does. So this is merely the spoon-feeding legislation which really doesn't tackle the issue frontally, forthrightly and in depth. That is what the Attorney General of the province was up against in the legislation. He is going to have to do that and, I trust, very, very soon.

I suppose he might argue that he can't foresee all the possibilities of legal chicanery. All I can reply is he can certainly foresee a good many more than has been foreseen thus far, and legislation can be far more of an umbrella. You can terrify these manipulators fairly easily by fairly widely sketched legislation which requires particular interpretation rather than try to be precise. If you try to move in with precision they will find a way around it. But it is the umbrella legislation that will turn them aside, because they wouldn't want to tackle that sort of thing in the courts and, therefore, wouldn't get that involved.

Therefore, I say the local municipalities, this being a widespread phenomenon throughout the province, would be the only ones that know. And I would take it that it wouldn't be as invidious as has been suggested on some sides of this House as to its working. All it would do to the local municipalities as I see it, is it would attach conditions in its locality which were peculiar to the type of subdivision that had taken place. It would know precisely what services were necessary, and the extent of the services. It would apply these as reference to its issuing of a building permit over these particular properties. It would know the road allowances, it would know the pathways into the property, it would know the sewer and septic tank facilities, and it would know what water was available. All the many things that would be necessary would be within its peculiar cognizance, and that is as far as it would go, I think.

Having done that, it would take the direction from this legislation which the province gives it, namely, that "we want these titles validated, provided it is not going to harm you unduly." If there flows from that a financial burden, again I think the intention is that that be thrown back upon the individuals involved in the original purchases and what not, and possibly, although I think not, on part of these developers who so mulcted the public.

The government may have to move in at a later stage with financial assistance to some of these municipalities, because again you may say, and I think the government's attitude up to this point in time has been, these people are the authors of their own harm. At some points along the line, through newspaper articles and other ways, they have been warned. Nevertheless, in face of these warnings which were front-page stuff for sometime and after the event, they would go in busloads, and 50 per cent of the bus would buy property from an outfit like Whiterock, knowing full well that they face these particular difficulties. The government position is, as I say, let them suffer their own harm, volenti non fit injuria. They made up their

minds and have consented to it; let them pay the penalty.

But now as Christmas draws near and in a fit of reconciliation with the electorate, which will go on somewhat accumulatively in the next little while as we watch it develop, it is clearly decided to come to terms with this particular situation. If the government is going to come to those kind of terms, then I am saying that these people, if they deserve to have the burden lifted, and I believe they do, by and large, the number that I am talking about who spit in the eye of fate will not be all that number. Most of them were bamboozled and led by advertising and the government is party to it up to a considerable point, and so it has a role of complicity after the event.

If there was going to be a charge of murder laid the government would probably be an accomplice, which means the accomplice hangs along with the original murderer, as you probably know, Mr. Speaker. In that way, the government has involved the province in a very considerable expense. But having gone that far it cannot expect these people on their own hook—I think they can make a substantial contribution, but I don't think they can be expected to lay in all those services themselves out of their own pockets.

If that is what the government's intent is, that it validates their titles and lets them bear their financial burdens from then in, that they deserve that too and that is bloody well what they are going to get, then I would caution the government on this regard to use a bit of clemency and think about that. Having gone thus far, maybe similarly to the municipalities with respect to certain types of services, it would be very well in order in the course of bringing the legislation through.

I said a while ago that I agreed with the hon. member for Downsview on a particular proposition. That is the delegation of powers involved in the legislation, which is the thing that exercised the Globe and Mail so much this morning. There's a good point to it. Surely that's extraordinary legislation, delegating ministerial powers to some—well, I don't know how high up a position the person would fulfil. Let us say, to make it ludicrous, that some clerk in the municipal apparatus would be given this; theoretically, he could be.

Surely, that must be limited somehow before this legislation becomes effective. The minister must exercise some kind of designatory powers as to who precisely will do this. To shoot it off to the council of a municipality and to tell them in the same legislation that they may shoot it off to whomever they please, subject to ministerial discretion, is not—because once it's out of the minister's hands, the cat's out of the bag, it will function in the municipalities as they see fit and as they wish it to function. They would find it a usurpation of the minister's authority to move in at that particular stage.

One of the great dangers, as the minister well knows, in terms of civil liberties, is this delegation business. We want to know to whom it would be delegated and we want the powers circumscribed in the course of the delegation itself. That is critical to civil liberties and it can't pass without being mentioned in fairly strong terms. We would very much indeed like to see that re-looked at and re-examined and altered in the course of passage of this legislation.

I'm interested in the section having to do with partial discharges and would like to know, although I suppose we could do it in committee of the whole, just how that particular machination works. There is a long section on the Whiterock decision—the constitutional questions decision—giving hypothetically what could happen if a man purported to sell the property, took a mortgage back and then gave a partial discharge of certain portions of the total property over which he held the mortgage. Does that convey the fee? What is the effect of that on the full title?

The legislation moves in on that particular area because obviously it has been a loophole again, an opening in the legislation, which has been utilized in order to circumvent the purposes of the Planning Act. This is one area in which the minister has done service to the public and to the planning process in the province, by bringing that section in which hasn't yet been referred to particularly.

As to section 10, which deals with the restricted area and building bylaws and the amendments to the Planning Act in this regard, this is again a typical case in point of dilatoriness, pusillanimity and almost criminal delay in the process of bringing planning legislation forward. I hold in my hands a statement of the then Minister of Justice (Mr. Bales), and in this particular release he says, "In the early part of 1968, six Ontario municipalities individually submitted to this House private bills." That is 1968, Mr. Speaker; it is nearly 1974. The better part of a decade has gone and the government embodies in legislation these hoary old nostrums which it says all the municipalities have been utilizing anyway throughout the past half century.

If it takes over half a decade to move in on a situation, how much longer, oh, Lord, is it going to take to bring in the futuritial Acts, the ones that are really critically necessary now, which have been outlined by Crombie and which have been presented in this House by my friend from Ottawa Centre earlier this afternoon? He gave a whole host of them which are critically necessary to the running of a modern city.

These things that the minister embodies in legislation and gives them power to do tonight are either no longer necessary or are validation of an already existing situation which nobody cares particularly about. But what people really do care about, the government gives no weight to; it doesn't purport to bring them into the legislation.

Those are the things that should be before us if the Treasurer had any brightness of spirit or movement of the visceral tracts, but there's nothing like that. And far from touting himself upon his vitality and his sense of contemporaneity, his movement with the times, it should be quite the contrary. We are getting retroactive legislation; stuff that ought to have been put in legislation almost 10 years ago is being put in legislation tonight; and the stuff that is needed tonight will be put into legislation, I suppose, 10 years from now.

That is the way it operates, that's the way it works, and I would ask the Treasurer not to let that time delay escape him. It's there; it's laid out; he knows the necessity, the crying needs of the times in the Metropolitan centre and the great megalopoli.

I would ask him to take it under cognizance; review it during the Christmas season—I am sure he has nothing better to do—and bring in, in the new section of the legislation, not all of them, maybe—I wouldn't give him that much credit for being that vital, or that creative, or that much alive, or that much aware of what contemporary needs are—but a few of them maybe. Let's say half a dozen out of 15, just as a gesture to the gods.

Let him give some sense of movement, that he is alive and he knows what's going on in this society, instead of being hog-tied and web-tailed and sitting there floating on a sea of his own self-satisfaction in bringing forward legislation of this particular kind, which I find unpalatable and otiose, simply because it's no longer of great strength or validity or has any real meaning. Well, those are the basic propositions outlined.

For the rest—as to the site plans and so on—I do think it should be brought into the debate. The member for Downsview in his inimitable fashion took issue with the easement sections, paragraph 7—inimitable because he is imitating John Locke.

He finds the—well, there is a little bit of the spirit of Edmund Burke there, but that is much too Tory to mention, isn't it? Edmund thought the most sacred thing in the world was the hallway at Versailles. He didn't care particularly what they did in the French Revolution if they didn't trespass with their muddy boots over the hallway. Well they did, and he never forgave them. He wrote all kinds of books about it.

In any event, paragraph 7: "Conveyance to the municipality without cost" and the flames glittered in their eyes; those terrible words, "without cost"—"of easements required for the construction, maintenance, or improvement of any existing or newly acquired watercourses—"

The Law Reform Commission simply says this about these easements:

> Development creates problems of land drainage and sanitary sewage facilities. In most cases these services can be handled most economically by gravity flow, and so easements over private lands may be required. Other utilities are not so limited by gravity, thus there is not the same need for the easements.

But if the water flows downhill, as even today it normally does, and it happens to run over a new subdivision which is going downhill, and you put a watercourse under a man's land, it certainly does him no harm. It's drainage, basically; off his land in most instances in any case; and it's fruitful and beneficial and requisite for the whole wretched community, if it's to exist at all. Why on earth should anybody pay anything for that? It does nobody any harm and does a lot of people a lot of good, and that's the end of the matter.

Are you forever fishing into your pocket to pull out a new $10 bill just to impress the denizens of the murky deep that this is the signal of one's success?

The site plan thing; it's all set forth here. I think site plans are not unknown entities; I think they might be of value in the planning process. To be required to produce the odd one just might help the authorities tell where the property is and what is proposed to be done with it.

As a matter of fact, it may be the fastest and easiest way, and members in this House who have spoken against it have been the first to insist upon it under the Pits and Quarries Act. The trouble with the site plans

there, they are not adequate enough; they are not searching enough as to the way in which the gravel and other things are to be extracted from the soil. That's what we would like to know; and in terms of specificity and clearness, not in terms of some kind of governmental imposition on the private realm. That is the important thing in bringing forward that particular legislation.

Those are the basic factors that go into our position in arguing this legislation. We do feel that it should have gone to committee. It would have been most enlightening to hear from the general public and from those deeply interested in it—maybe even from the people from Whiterock Estate, in forms of self-justification as to what they had thought about it.

It is a shame that it has to be railroaded through the House. This is the way we see it, the way we perforce must see it. This legislation has been around since 1971. There is no reason why, at these latter hours, it should be visited upon us.

It is almost word for word with what has been recommended and what is promoted in the city of Niagara Falls Act. So why this blistering speed; this sudden precipitateness at the end of the day? It is simply not fair to the planning process and to the sense of participation.

The point was made earlier about some of the sections in this legislation, about the delegation of powers by the minister. Surely this consultative process ought to be protected and hedged in, within the terms of that legislation; the people most gravely affected by this ministerial orders and the delegation of that ministerial power ought to be called in, informed, notified, made aware. That is what, again, the contemporary world is all about.

It is highly beneficial.

I know it is a pain in the side to government; I know it is a drag on the equity; I know you find it painful; but that fact is beside the point. Most learning processes are. We must learn to accommodate it. It will slow things up a little, but the goodwill emerging from the very gesture will far outweigh any type of delay or difficulty the government may have in the process of promoting the legislation.

Public understanding will grow. And after a period of time the degree of promotion and the degree of mutual aid will be sufficiently great to make the whole process of putting legislation through—and sending it almost invariably to committees—infinitely more palatable and very much to the point. And there will be a point where we won't dream of doing anything else. We would think it was the kind of arbitrariness, or a form of really high-handed government bureaucracy, not to proceed through those avenues just because they take a few more hours.

Thank you, Mr. Speaker.

Mr. Speaker: Any other—the hon. Leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): I would like, very briefly, Mr. Speaker, to try and elicit from the parliamentary assistant, or perhaps the Treasurer who is in his place, why the government feels they must and should proceed with the legislation at this time.

I recall, perhaps a month or six weeks ago, the Treasurer made a statement that certainly caught my attention. He said that he had felt, as Treasurer, the government had allowed delays and approval for applications for plans for subdivisions, and even severances in certain areas, to drag on unconscionably. He sounded actually like a member of the opposition when he said, I believe, that it sometimes goes many months, even years.

Mr. Speaker, I am sure you are aware that the delays in these approvals have been even longer than that. There are some people experienced in applying for plans of subdivisions and approvals for the same, for developmental purposes, who count on a five-year delay depending on, of course, I suppose, how good the plan is.

The Treasurer at the time said that he had a brave new plan by which these approvals would be reduced, as far as the time lapse is concerned, to 60 days and no more than 90 days.

I believe that it is the sort of thing that the people in the province were very glad to hear indeed. Speaking as a sort of professional oppositionist—I have had some experience over the years—my experience is that one thing that will always get a round of applause from those concerned citizens who don't seem to be in the hip pocket of the Tories, is to be critical of the delays, that are sometimes attributed to the bureaucracy but can be traced directly to the chief planner; because I presume it is still necessary, that it requires the signature, or the rubber-stamp facsimile of the signature, of the Treasurer, the Minister of Intergovernmental Affairs, in most of these matters. I believe the very fact that it required that signature, and because

of the volume of work involved the signature was very easy to acquire, that the minister's predecessor got into some trouble, some quite short-lived trouble as it appears.

I wonder if it is in fact a part of that programme, simply to expedite planning matters, that has brought the Treasurer to bring this bill before us and which has prompted him, so far, not to give consideration to the good reasons put before him for delay. We expect the Legislature to reconvene sometime in February, or whenever the Premier decides, that we will have the Speech from the Throne and we can get down to legislation almost immediately. It seems to me that that sort of a delay is not undue, nor unconscionable, particularly in view of the fact that substantial and trenchant criticism has been offered, not only from the opposition parties but from people who have to deal with this new legislation; and as the minister knows, and it's been pointed out to him, from editorialists in more than one of the Metro dailies and elsewhere.

I would suggest, Mr. Speaker, as strongly as I can to the assistant and to the Treasurer if he's listening, that it would be wise to give this bill further consideration. It's certainly not the first time by any means, that such a bill is presented for first reading, and the fact that we have had some considerable delay leading up to a vote on second reading would not preclude the Treasurer from accepting the suggestion, which is in my view reasonable and certainly well meant, that the bill be stood down, that it be distributed in its present form for some further consideration; and I would suggest further consideration by the government itself would be warranted.

Mr. Speaker, you're aware, surely, that the aspect of the bill that results in the decentralization of planning decision is one that we support wholeheartedly, that we have been urging the government for years to undertake a release of its iron grasp on the final decisions in so many of these approvals.

Wilf Spooner, now ancient history, the man who had these responsibilities in the days when the assistant was probably a budding member of a council—maybe he was even in short pants, surely it wasn't that long ago—but Wilf Spooner used to go over those applications himself; I sometimes thought with a quill pen. There was certainly no thought of any rubber-stamp signature as far as he was concerned.

In many respects we had a good deal of confidence in the gentleman because of his absolute, iron-clad—what do you say, integrity. That was unquestioned by anyone. He would burn the midnight oil and go over these piles and piles of applications, and when it got Mr. Spooner's approval there weren't many questions as to whether in fact the approval was warranted.

The interesting thing is that when he did it all himself, with a couple of clerks blotting the signature, there was less delay than when we've had three or four acres of these people shoving the papers one to the other and worrying about the length of the coffee break, or whatever it is that seems to delay some of the decisions there. So we believe in the decentralization of this authority, and certainly the decentralization to an area which has an approved official plan seems reasonable.

I have often been surprised indeed, that the Treasurer was so quick to slap on his ministerial orders, pulling back into his own hand the final authority for all planning decisions from those areas which have had fully approved official plans in operation for some period of time, backed up by the full panoply of appropriate zoning bylaws.

None of this development control was permitted in those good old days when if you didn't have a bylaw backing it up you didn't have anything that you could legally enforce. Believe me, I regret very much the attitude of the ministry by way of policy to embrace the concept of development controls as fully as it has in the legislation that we dealt with at the end of the last session—last June I guess it was—and which now is embodied as a principle of this bill.

So let me say this, Mr. Speaker, that while we approve of the concept and principle of the decentralization of the approving authority, we do believe that it must be lodged in a democratically-elected body; that the further delegation of this authority to a person designated by that elected body, thus establishing a planning tsar, is something which we cannot approve and of which we definitely disapprove. We feel it is a mistake; we feel that the responsibility should lie with the democratically-elected body, which may or may not be constituted as a planning board but which could have some leeway as far as delegating its responsibilities to such a planning board.

The developmental controls themselves should not be permitted without the underpinning of bylaws which are clearly understandable, and which in fact mean that planning will continue to be by law and not by man. This, joined together with the concept of giving an individual the final authority, seems to me to be extremely dangerous in-

deed, where the attitudes of an individual are going to be the power which is imposed on the development prospects of any community.

I might even go so far as to say that if Wilf Spooner were available to do that in our community, or anybody else's I wouldn't be too worried about it. But I had better be careful with my compliment because you never know when he might want to get back into the field of elected politics, and I know what always happens to compliments under those circumstances—they appear on an electoral brochure.

But I want, finally, to deal with the matter of checkerboarding. I agree wholeheartedly with the contention that was put forward strongly by the member for Downsview, that the members over there were the authors of this chaos and that they should accept the responsibility, both by law and regulation and the financial cost involved, of seeing that it is set right. It seems to me the weakest out for the government to decide at this late date that the local municipality should be given the responsibility in the name of decentralization of authority.

The argument has been put that we cannot allow this matter to continue without solution any longer. Yet the Attorney General, who seems to be paying some minor attention to my comments, must be aware that the problem has continued now for many months and years. I don't know whether it has contributed to the sparseness of his hair or not, but it has caused a great deal of concern and worry to politicians, certainly.

But unless they themselves have availed themselves of that prospect of "buying a piece of Canada," their worry is as nothing compared to that of the innocent individuals who were bused up to these charming rolling hills around Peterborough and finally put down good money for some rockpile—I had better be careful—for some rolling green terrain in the Peterborough area which was designated "a piece of Canada." I am sure they were pleased indeed to find themselves the owners of that property, and chagrined and worried and concerned to find that the title was not clear.

I am amazed that the mind of man—at least the mind of man in the government—has not been able to establish some rational decision, even with the answers to those rather special, and to me rather silly questions, that were put to the Supreme Court for their view. But from all of that time-consuming procedure, we have this section before us which really means that the government of Ontario is throwing up its hands and saying to the local municipalities: "If you approve of those lots, give us a bylaw and we by order will establish them with a clear title."

Surely that is a very inadequate way to deal with an extremely vexing problem, a problem that is based on the inadequacies of the planning legislation that is the responsibility of this very government, and may in fact be traced back pretty close to Wilf Spooner himself, if the truth were known, in his concepts of planning.

The hon. member for Waterloo North, in mentioning Century City, has also indicated quite clearly that there is no solution to that sort of problem whatsoever, and that the problems being experienced by the former owners of that property and by the municipal corporations involved still continue; that even though we have repeated assurances from a number of ministers that legislation would be brought in dealing with the Century City problems specifically, such legislation is not available and once again the government has failed.

The Globe and Mail said that it is insanity to proceed with legislation under these circumstances. Pretty strong words. I'm not sure that it is insanity; I believe, however, that it is seriously bad judgement on the part of the government to insist that the legislation go forward under these circumstances. It may be said that not enough time is available for a debate. That's not true. I believe that the debate could go on considerably here and maybe it will—I don't think there is any requirement that we adjourn tomorrow or the next day—but it is true we have not had adequate opportunity to take this legislation and discuss it with the clerks of the various townships or some of the people who have the properties or those people we may be familiar with who are expert in planning legislation.

We have been able to consult to some extent, certainly, but it seems to me that while it may not be insanity it is extremely bad judgement for the government to insist on going forward with the legislation in its present state.

I hesitate to say it's poorly drawn, in the presence of those who obviously drew the legislation. I believe the concepts are faulty and those concepts, those principles, are the ones which must be put at the doorstep of the government's minister himself, and it is because of them the planning legislation that is before us should not be carried.

As a matter of fact, the motion or the amendment put forward by my colleague is

not just a routine hoist amendment. It should be accepted. This legislation should be left on the order paper and brought in with substantial amendments when we return to the chamber in February. At that time I believe its solutions to the problems it attempts to solve could be much more effective, fairer and more properly designed to return authority to the municipalities in those areas, those regional governments which have come up with the standards of planning which must be established.

We believe in that concept, and it troubles me deeply when we stand against second reading, as we will some time at the conclusion of this debate, to feel that we are standing in the way of the return of that authority.

For the reasons which have been put before you, Mr. Speaker, by my colleagues and I, we believe the legislation is flawed and faulty; that it is the result of inadequate consideration; that it should be stood down and reviewed by the government and others, now that we know the intention of the government, and brought forward again some time in the spring session, as early as possible.

Mr. Speaker, I can give no undertakings, of course, until we see the legislation, but we believe the flaws which we find in the legislation now and which make it impossible for us to accept it could be worked out. The minister would find that he would receive unanimous support from all sides of the House with a concept in planning which returns authority to the municipalities without inflicting on them responsibilities which they do not deserve to carry and which are responsibilities which have arisen unnaturally because of the inadequacies of planning legislation heretofore.

Mr. Speaker: Are there any other members wishing to participate? The hon. member for Peterborough.

Mr. J. M. Turner (Peterborough): Mr. Speaker, if I may, I would first of all—

Mr. Cassidy: Welcome.

Mr. Turner: The member didn't think I would, did he?

Mr. I. Deans (Wentworth): Is this a filibuster?

Mr. Turner: No. I would first of all like to offer my congratulations to the government, and specifically to the minister and the member for Grenville-Dundas—

Mr. Deans: Why do they all start out this way?

Mr. Turner: —and to the Attorney General for taking this problem—

Mr. Cassidy: He is the member for Stormont-Dundas. Now get it straight.

Mr. Turner: No.

Mr. S. Lewis (Scarborough West): Grenville-Dundas.

Mr. Turner: Right!—for taking this problem in hand. From what I have heard of the debate so far, with the exception of one or two members we've been hearing mainly from Metro members, where really they are not too much affected by the so-called checkerboarding or other devices which were used to circumvent certain provisions of the Planning Act.

We have also heard that this legislation is coming through much too quickly. They haven't had time to study it and so forth. I would suggest to you, Mr. Speaker, and through you to the members of this House, that this is a matter of great public urgency, particularly in the riding which I have the privilege of representing, where possibly more lots have been created by the innovative procedures of various legal people. I would suggest respectfully to you that perhaps the government itself is not to blame and perhaps the legislation is not as faulty as it may appear. I think a lot of legal people, lawyers, have taken it upon themselves deliberately to set out and find ways of circumventing the Planning Act.

I have also heard it said that if these same lawyers spent as much time upholding the Planning Act as they did finding ways to circumvent it, then there wouldn't be the problems which we find today.

We've heard a lot of checkerboarding and we've heard a lot of Whiterock. I suppose this is what the public really understands, because it is what has received publicity in the media. But as I suggested before, there are many other ways of circumventing the Act. I'm very pleased indeed that the government is taking steps to validate these titles which are under cloud. One thing I would like to specifically ask the minister or the parliamentary assistant is that this legislation would have the intent of validating all deeds, no matter what methods were used to circumvent the Planning Act. It is not just a matter of this one checkerboarding method.

We have also heard it said by various members, particularly members of the official oppo-

sition, who indeed have from time to time paid great lip service to the autonomy of local municipalities about how they would like to see decentralization with more power to the local municipalities. It would seem to me this is one area where the municipalities have a perfect right to make the decision. Who is better informed of local needs, local conditions and responsibilities or requirements which may be attached or requested as a part of the recommendation for the minister to approve?

We have also heard it said that these municipalities, many of which are rural, lack the expertise to carry this out. Having had considerable experience with many rural municipalities, I would question this very strongly. I would hasten to assure the members that these rural municipalities indeed do have the benefit of legal advice, and competent legal advice. Witness the fact that this procedure, I believe, was first used in the Peterborough area, and quite probably was a result of some local lawyers finding a method to circumvent the Act.

Mr. Singer: The logic of that is a little difficult to follow. If the local lawyer outsmarted the local council, can't it be assumed he will try again?

Mr. Turner: I'm just saying their expertise may not be as naive as some of you city slickers may think.

Mr. Singer: They are certainly not saying they are in agreement with the council.

Mr. R. F. Nixon: Nobody is saying they are incompetent.

Mr. Turner: Well, excuse me, the hon. member for Downsview made some derogatory remarks to that effect.

Mr. Singer: No I did not, I didn't. I said no such thing.

Mr. Turner: I am not going to argue with him.

Mr. Singer: Good.

An hon. member: I thought he did. I'm with the member.

Mr. Turner: Well, okay.

An hon. member: A loser again.

Mr. Turner: Not really, because I think this is long overdue.

Mr. Lewis: If the member didn't speak so often, he would win some.

Mr. Turner: The municipalities will have the right to make the initial move in this regard, to make a recommendation, I believe, to the Minister of Housing (Mr. Welch) for approval. I strongly agree with this concept, that the decision-making is put back into local hands, not served up by somebody sitting behind a desk in Queen's Park saying you can or you cannot.

One other area to which I would like to draw attention—

Interjection by an hon. member.

Mr. Turner: We are not discussing my riding at the moment.

There is one other area I have some misgivings about. The delegation of authority, or the minister's authority, to local councils I can accept, and this is to be commended. But for the local councils to delegate their authority to some individual, I would have very strong reservations, for reasons which have already been expressed. I think the local council must bear the responsibility of all decisions made, and in fact it does. If it is going to bear the responsibility of those decisions, it in fact must have the final authority invested in it, not in some employee.

It has been suggested too, and I would just like to do this for purposes of clarification, that with the creation of these various lots, and I stress this, again we are talking not in terms of professional developers such as the Whiterocks and Century Cities and so on, and the busloads of people who came into my area apparently and bought lots, we are talking of people who have been hurt and hurt very badly through the slowness, perhaps, of this government, not to recognize the problem but to act on the problem.

I have personal knowledge of people who have come very close to personal bankruptcy through not being able to get mortgage money in order to pay off the contractors and subcontractors. I have specified instances in other cases of people who have bought lots, have not been allowed to build on them, and in fact are paying taxes and have paid taxes for a good many years.

So, for all these reasons, I commend the government for this action and I would suggest that it's a good Act. For that reason, we should support it. Thank you.

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I just have a few remarks.

First of all, I think it's a pity that this government, which keeps on saying how it is wanting to listen to the people and wanting to work with the people in finding answers to problems, should bring in that change of wording in section 4 that my colleagues have brought attention to. In it, it removes the words, "the minister shall settle such modifications as far as possible to the satisfaction of all concerned," where the wording is quite within limits that would enable the minister to make up his own mind and keep the responsibility, but would give him an obligation or place upon him an obligation to work out a consensus to the greatest degree possible.

Surely that is the way this government should continue to operate, and when it removes that sort of wording and says that the minister on his own shall make up his mind about any such coercion or such direction, I think it's a good indication of what the real intent or the real thinking is behind the government.

The second thing is the delegation of powers to the municipality. Of course, I agree that that is no way to deal with a problem that the government itself has caused through its neglect over the years.

I was really disappointed to see, in section 6, the mortgage device did not clean up the Century City problem. I know of so many people who have been placed in a great deal of hardship because of the problem of mortgage legislation as it now stands. The Planning Act dealing with mortgages should be corrected; it is long overdue. I am really disappointed that at this time, after so many weeks of waiting for these amendments, the government has not introduced legislation, even though special legislation was introduced for that particular problem and dealing with that particular problem, not worrying about general legislation. It is a problem that has caused great hardship for a great many people, and it has certainly opened up potential abuse by a few people who have been favoured because of it.

In section 10, why do we continue to have a limitation of five per cent for park purposes? Why do we say not exceeding five per cent? Should it not say five per cent but it can be over that if the municipality wants? If the municipality says that in one area it is going to allow a higher density but it is going to insist on a 25 per cent deeding of land, why not leave it in there so the municipality has the room in the Planning Act? Why continue with this antiquated approach of five per cent, when we know that in some of the finest developments anywhere there is 25 per cent, 30 per cent or 35 per cent park space deeded over to municipalities, in return for which the municipalities have granted higher density because they felt that was desirable or possible under those conditions.

I am pleased to see the amendment about grants to assist the cost of repairs so that the municipalities cannot only make loans but can make grants toward repairs to bring buildings up to standard. I think the finest example of that is the area bounded by Shaw St., Bathurst St., Queen St. and the CNR tracks in Toronto, where about $300,000 in grants was made to an area. Instead of getting perhaps 15 brand-new houses built, about 600 houses have been put into first-class shape because the community was given the opportunity to use its discretion and received grants from the city of Toronto.

Section 12, I see, provides that three is a quorum under any conditions. It doesn't matter much now because these committees of adjustment have been stripped of all their responsibilities, these committees that so efficiently carried out land severance and were so accountable and responsible to the democratically-elected councils that appointed them through the various methods of appeal we formerly had.

All in all, so many defects are coming forward in this plan as it is being quickly reviewed by this Legislature that there is no question that this legislation should be set aside, as my colleague from Downsview has said, and I certainly support his amendment so that we have more time to properly study this Act.

Mr. Speaker: The hon. member for Peel South.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, I would like to make a couple of comments and to specifically ask a question of the parliamentary assistant.

There are some residents in my riding who have been involved in the checkerboarding situation, and I refer specifically to one case that came to the attention of the Globe and Mail, a month ago, Nov. 13, in a story headed: "Buyer Can't Build Three Years After Paying for Cottage Lot." This is a checkerboarding situation where this resident has been frustrated. He had his solicitor close the deal and guarantee the deeds; then he went to the municipality for a building permit. Because he was unable to prove ownership, a building permit was refused. As a result, buyers like him are left with parcels

of land they can do nothing with. This is a specific incident, but it probably relates to many other cases.

It wasn't clear, and perhaps the parliamentary assistant can indicate this to me, whether this individual and several of his neighbours, who feel they should have the right to get building permits and build summer cottages, do have recourse. Recourse if there is a reluctant municipality; which evidently is not hostile to the purchasers—who bought on good faith, as attested by their solicitors—but evidently the controversy is between the developer and the municipality. And in trying to get at the developer, perhaps the innocent purchaser is the victim.

So could it be explained whether this legislation, through the municipality, provides for a permit to be issued; or in other words title to be validated, as they have been denied building permits because it is claimed they don't really have title? Do they have recourse through the OMB or some other body, whereby both sides will be heard and possibly some agreement will be reached so they can go ahead and build—have the lot and have the building on it, as they thought they would have in the first place; there is some question as to the quality of practice of the solicitor whom they had retained?

I agree with my colleague, the member for Peterborough, who said there is need to move forward with this legislation now despite the comments of the member for Downsview, who thinks it should be delayed. Correspondence that I have asks that we move forward because there is, indeed, public urgency. After all the years since this became an issue and came to attention, they have been trying and trying to get validation and to get going on it; and I see no reason that it be delayed.

So citing that case, Mr. Speaker, which perhaps points up several others including at least one in our own riding, I would ask for clarification as to the route of recourse for these individuals, or perhaps groups of individuals who now find themselves in this stalemate.

Mr. Speaker: The hon. member for Durham.

Mr. A. Carruthers (Durham): Mr. Speaker, very briefly I would like to commend the government on this piece of legislation and add my personal support to the bill. And may I also urge the members of the opposition to support this bill at this time, because there is great urgency.

I don't suppose there is any part of this province which has been affected more than that area in which I reside and which forms my riding.

Mr. Lewis: The member took long enough to get around to it.

Mr. Singer: Three years. If it is so urgent, why doesn't the member get the bills passed?

Mr. Carruthers: In that Peterborough area, the township of Cavan—

Mr. Lewis: Three years! Some urgency.

Mr. Kennedy: Certainly is.

Mr. Carruthers: The township of Cavan was where Whiterock first moved in to establish this type of severance and partition of land, and it has caused a great deal of financial suffering to a number of individuals.

I have no sympathy for the large developer, who has moved into that area in some instances. But I have a great deal of sympathy for many small landholders who, in the knowledge that they were purchasing their land legally, have now found themselves in great difficulty, unable to get mortgages; and in some instances with buildings half erected. There is a deal of unnecessary suffering because of this. It is to be regretted that the legal profession in this province has not assumed its moral responsibility in upholding the laws of this province, as far as I am concerned. Rather, the almighty dollar has played too important a role in this type of operation.

Mr. Lewis: What has the government been doing for three years other than supporting the almighty dollar?

Mr. M. C. Germa (Sudbury): He should have been standing there three years ago talking about it.

Mr. Speaker: Order.

Mr. R. F. Nixon: He doesn't remember he made this speech about it before.

Mr. Lewis: Three years ago he probably thought Whiterock was a great thing.

Mr. Carruthers: But to argue that a municipality is not the right governmental body to make these decisions is ridiculous. I have a great deal of faith in those serving on municipal councils in my area. They are men with a great deal of common sense; many of them with long experience. They have a complete knowledge and a very keep knowledge of the affairs of their municipalities. They know

the area well. They understand the problems of the people.

Mr. Foulds: How many of them are land speculators?

Mr. Carruthers: What group of people are in a better position to make the decisions which will have to be made than the local municipalities themselves?

I would therefore urge the members of the opposition to support this bill in principle and let us get on with the job of correcting a situation that has brought a great deal of unrest and financial loss, certainly to people in my riding and to people throughout the Province of Ontario. I would ask that there be no delay in passing this legislation.

Mr. J. E. Stokes (Thunder Bay): Does the member think that three years' delay is long enough?

Mr. Speaker: The hon. member for York North.

Mr. W. Hodgson (York North): Mr. Speaker, I want to make a few comments and to say I agree with the principle of this bill. It didn't come soon enough; it should have been done sooner.

However, I would like to agree with the hon. member for York Centre in regard to Century City. I think there are a number of individual farmers and other people who own lots and who are suffering because we're not bringing in legislation to clear up that particular situation.

You may call me out of order, Mr. Speaker, but there is another group of people who haven't been mentioned in this particular bill. I spoke about them earlier in the Legislature; they are the people who are victims of the freeze that has been imposed upon them by the new proposed airport. They are people in Whitchurch, Stouffville, and the ridings of Ontario and Ontario South who bought lots in good faith and intended to build homes on them. They have owned the lots for many, many years; they bought them in good faith for their retirement or perhaps for resale. However, they're not able to get a building permit; and if you can't get a building permit on a parcel of land it's worthless. It's not worth a nickel to anybody if you can't get a building permit to build on it.

I am making a plea on behalf of those people—

Mr. Lewis: There is not even going to be an airport.

Mr. W. Hodgson: —who are caught in that unfortunate position, whether or not the airport is going to go ahead—

Mr. Lewis: It is not going to go ahead.

Mr. W. Hodgson: That has been an argument for almost two years; it'll be two years on March 2, 1974, and still there has been no conclusion. I am urging, on behalf of the members of government, the government I represent, that they make an early decision on behalf of those people who are caught in that particular freeze at the present time, who own lots and are paying taxes on them—

Mr. Breithaupt: It takes three years.

Mr. W. Hodgson: —and can't do anything with them. Their land is worthless.

This is my contribution to the debate at this present time.

Mr. Lewis: It is a good contribution.

Mr. W. Hodgson: I agree in principle with the legislation that is going to be passed at the present time.

Mr. Speaker: Are there any other members who wish to address themselves to this bill? If not, I believe there are two people to reply, the Attorney General and the parliamentary assistant.

Hon. D. A. Bales (Attorney General): Mr. Speaker, I would like to deal only with the portion of the bill relating to section 7.

In 1961 and 1967, validation bills were introduced in this House to deal with severances that had been obtained other than under the provisions of the legislation—section 26 of the Planning Act, as we used to know it, now known as section 29.

In both of those instances they were what I refer to as blanket validations; they covered all situations throughout the province. Since that time a number of new types of situations have developed, which on assessment would cause great difficulty to the local municipalities. In developing the legislation that is before us at the present time, under section 7, we had to take into account the difficulties that those municipalities faced.

In 1971, when I was Minister of Municipal Affairs, there had been various schemes developed; and one scheme was known as simultaneous conveyances, whereby, for example, a whole township lot would be divided up into numerous parcels and conveyed by one deed, although described in a number of individual parcels.

We brought in an amendment to the Planning Act in March, 1971. Very shortly after, I believe, Judge Deyman of Peterborough had dealt with that matter on a vendor and purchaser motion and found it a valid arrangement. That amendment stopped that kind of subdivision. But there has been a number of other ingenious methods developed to circumvent the provisions of the Planning Act.

Since 1971 there has been a change in the decisions as to the validity of severance schemes. I think a number of people have been caught in the change of decisions.

Our concern is for the individuals who purchased property, and in many instances their titles were certified by lawyers; taking into account the decision of Carter vs. Conger, for example, wherein I believe Mr. Justice Fraser found the title as conveyed under those circumstances to be valid. People purchased lots and were assured they did have a valid title and could proceed. Many of them did proceed to build homes and their titles today may be called into question by reason of subsequent changes in other cases.

In the Forfar case, and it has been referred to on many occasions in this House, initially, I believe it was Mr. Justice Osler followed the decision of Fraser and found it to be a valid type of conveyance. That was reversed in the court of appeal and the decision of the court of appeal was upheld about a year ago in the Supreme Court of Canada.

So in 1971 when we developed the constitutional questions and referred them to the court of appeal, we were in the position of having a diversity of decisions. Ten questions were developed. One was referred to this morning by the member for Downsview as Black Acre; really it was Green Acre. But it doesn't matter what name you use. We referred the various hypothetical situations to the court of appeal so that they might provide answers to these questions. They brought forward their decision, dealing with what were hypothetical situations, last March.

That is the reason the validation bill, or the legislation before us, deals with those titles created up to March 19, 1973. Because subsequent to that time a number of people may well have severed property not in accordance with the provisions of the Planning Act and to take advantage of what was the general interpretation given to the constitutional questions under this decision. We feel that developers, if there was any advantage taken of that decision, should not benefit from it.

Going back to the situation in which municipalities find themselves today, it is impossible for us, or really for anyone, to estimate the number of individual situations that may exist today in the various municipalities of this province where improper severances have taken place. The municipalities themselves would be put into an invidious and a very difficult situation if we were to validate all titles, because they might then be faced with the requirement of granting building permits on application or facing mandamus applications and providing services to a large number of properties that they could not adequately service. They do not have the financial reserves to cope with the kind of situations that would develop.

There has been reference made today to Mayor Gladys Rolling of East Gwillimbury and her concern. Her concern is exactly that, that the individuals who were caught in this kind of situation of changes in interpretation should not be harmed but rather be permitted to proceed with the sales of their properties if they have been called into question; or with the mortgage arrangements if the mortgagees have questioned title; there is a whole host of individual situations.

The problem arises mostly in the small municipalities which might be faced with a number of very large developments created by means of improper severance. Those types of developments should really be done, and should properly be done, under the method of subdivisions through the local planning boards and councils.

Mr. Singer: Who is going to pay for the services now?

Mr. Kennedy: That is what the member forgot.

Hon. Mr. Bales: For that reason, we believe that the local municipality should have some control over the situation as it will develop. They will make application to the local municipality which can assess that problem and pass the necessary bylaw. The municipality need not pass only one but will deal with a series of situations as it can assess them. Those will be submitted to the Minister of Housing and he will then deal with the matter.

We felt that it was only proper that the local municipality, in assessing the individual situation or types of situation, should be able to attach conditions, just as a committee of adjustment might well have done. The types of conditions would have to relate to the normal conditions imposed by a council un-

der section 35 of the Planning Act or the section now included in the Act. If they did not, if the condition attached were impossible of fulfilment, there would be a proper application to the court to disallow it.

The applications can be made to the minister and individually he will deal with them.

Mr. Singer: What does the minister mean by "to the court" in that last sentence?

Hon. Mr. Bales: If the minister feels that the condition imposed is perhaps too onerous —it might be proper but too onerous—or it is unfair he can always refer that back to the municipality, indicating clearly to it that he will not consent to these particular conditions but that he would consent to other conditions. I think that this is a fair and practical situation, helping those who do require the assistance because titles may be called into question but at the same time avoiding wide circumvention of the Planning Act to permit large subdivisions.

The problem of Century City has been raised by two speakers. I don't think it is still adequately understood. That case was heard by the court in November, the decision has been reserved and I don't want to anticipate that decision. I do feel that the defence raised in that instance was an improper defence and I would doubt that it would be upheld but we will see what the decision is. If necessary, and dependent upon that decision, legislation will be drafted and submitted to this Legislature at an early date next year.

Mr. Speaker, there is one amendment that was referred to this morning by the parliamentary assistant. It was simply to clarify that in unorganized townships, wherein there is no council to deal with the matters, the minister will deal with them instead. The second situation was in order to clarify that if an individual is refused by the municipality, the route of application to the land division committee and subsequent appeal to the Municipal Board is still open to that individual.

In 1971, having to deal with a number of emergency situations at that time, I suggested to individuals that they should make the application to the committee of adjustment which had not been made, in order to obtain a severance under the proper and legal conditions. A great many people did, and those severances which had previously been improper were rectified and so their titles were cleared up.

Mr. Speaker, careful thought has been given to this matter to aid those who should be aided, and at the same time not put an undue burden upon the local municipality. I think the member for Lakeshore has quite clearly understood this matter, and by his comments has indicated that. I'm rather sorry that the member for Downsview, whose legal opinions I normally respect, has misconstrued the legislation in this instance—

Mr. Singer: I think not.

Mr. Lewis: Oh, shame.

Hon. Mr. Bales: —and I'm sorry the Leader of the Opposition has merely echoed his views.

Mr. Lewis: A serious admonition.

Hon. Mr. Bales: On that basis, Mr. Speaker, I think that this legislation should be adopted.

Mr. Speaker: The member for Grenville-Dundas.

Mr. Irvine: Mr. Speaker—

Interjections by hon. members.

Mr. Breithaupt: He hasn't said anything yet.

Mr. Cassidy: That's right.

Mr. G. Nixon (Dovercourt): Listen and learn.

Mr. Lewis: Mr. Speaker, this man's problem is that he is running again. It is more difficult again.

Mr. Irvine: Mr. Speaker, if I don't say too much, it probably won't be too far out of line from some of the remarks made by my hon. friends from the opposite side of the House. I would say to them that I have listened to their remarks all day with considerable interest. I've considered what each one has said, and while I think there have been some fairly good remarks, Mr. Speaker, I'm disturbed that there appears to me in any event, to be a considerable misunderstanding of the intent of this bill. I would like, if I may, to clarify some of the points which, in my opinion at least, appear to me to have been interpreted not as we intended them to be, nor as they are written in the Act.

Mr. Lawlor: Now he is going to make it worse. I am almost expired in a few minutes' time.

Mr. Irvine: If my learned and very educated friend from Lakeshore would allow me, I would like to speak in ordinary language

so that everyone could understand me, because I did have a bit of a problem understanding some of the words that he mentioned a few minutes ago.

Mr. Cassidy: Everybody understands the member for Lakeshore.

Mr. R. K. McNeil (Elgin): He has a problem understanding himself.

Mr. Irvine: I would like to say to all the members that this is a very important bill. In my opinion, it must go forward and cannot, as the opposition has asked, be delayed for another three months.

Mr. Cassidy: If it is so urgent, where was it three months ago?

Mr. Irvine: It's one that should have been allowed to proceed before this, but we did make sure that each member of the opposition had the opportunity to understand—we hoped that, anyway—all the various sections in the Act.

Mr. Singer: When did they do that?

Mr. Irvine: We allowed it to come before the House only today, whereby they had it on Thursday and Friday—

Mr. Singer: Oh, come on.

Mr. Cassidy: That's so puerile.

Mr. Irvine: They had plenty of time to understand the bill if they had wanted to.

Mr. Singer: What a bunch of nonsense!

Mr. Cassidy: The parliamentary assistant has had it for three months and still doesn't understand it.

Interjections by hon. members.

Mr. Irvine: I have found out, Mr. Speaker, that legislation doesn't proceed through this House on the matter of practicality; it proceeds as to how long they wish to filibuster and how long they wish to discuss a certain matter.

Mr. Lewis: What's happening to the member?

Mr. Stokes: He doesn't believe in democracy.

An hon. member: In other words, Parkinson's law?

Mr. Irvine: Parkinson's law, right.

Mr. Singer: A disgraceful statement.

Mr. Irvine: Mr. Speaker, I don't wish to excite the House unnecessarily—

Mr. Lewis: He is not very generous.

Mr. Irvine: —but I do wish to point out to the hon. members of the House that there are certain sections of this Act that aren't being understood by all concerned—

Mr. Lewis: Well, that's not deliberate.

Mr. Irvine: —and I think that it might be in order if we could—

Mr. Lewis: Well, get to it.

Hon. A. Grossman (Minister of Revenue). Educate him.

Mr. Irvine: —educate even the leader of the New Democratic Party.

Mr. Lewis: I am listening.

Interjections by hon. members.

Mr. Irvine: This morning, the member for Downsview brought forward a point concerning the minister's approval of modifications to the official plan; and that was brought forth, I think, by other speakers.

Mr. Singer: What was the misunderstanding there?

Mr. Irvine: This is a very minor clarification as far as the government is concerned, if one understands what takes place in regard to the approval of official plans, zoning by-laws and so forth.

Mr. Singer: It's only minor to the extent that you propose to move unilaterally.

Mr. Irvine: When one talks about the fact that this modification must be—

Mr. Cassidy: It was so minor that the then Treasurer, the member for Chatham-Kent, had to resign over it.

Mr. Lewis: Don't make a joke of this.

Mr. Irvine: —must be approved and settled as far as possible to the satisfaction of all concerned.

Mr. Speaker, would you interpret for me the meaning of "all concerned"? Maybe the member for Downsview would be able to assist me in this? How often do we go back to "all concerned," and who is "all concerned"? I think in the first instance—

Mr. Singer: The member managed to struggle along with that for a few years, why is he taking it out now?

Mr. Irvine: I think, Mr. Speaker, in the first instance we have got to remember that we have listened in this House since I have been here—only a short time of two years—but we have listened from time to time to the opposition saying there has been too much of a delay at the local level, too much of a delay on our part in regard to approval of special plans. Now, if we were to say we should forget about the idea of the minister making the modifications after they have had opportune time at the local level to discuss all the modifications, if we were to say we would go back once more to the people, how many more months do we waste? How much more time do we waste in overall?

Mr. Singer: That is what the member says now. How much time has he wasted on it now?

Mr. Irvine: What we are saying to you, Mr. Speaker, and to the members of this House, is that this government is determined to make sure that there is not any undue delay from this time on, and we are saying to you in all sincerity—

Mr. R. Haggerty (Welland South): The member doesn't believe that?

Mr. Cassidy: And throw participation out the window in the process.

Mr. Irvine: I am speaking directly to the member for Downsview. We are speaking to him in all sincerity when we say to him that to go back to every person about every point which they may not accept would be—

Mr. Singer: Well, at least go back to the local council.

Mr. Irvine: We do at all times.

Mr. Singer: No, but that is what the section says.

Mr. Irvine: I think, Mr. Speaker, what we all have to remember is that the government has to, and has in the past and will in the future, go to the municipality in every instance.

Mr. Singer: Not if the section doesn't say so.

Mr. Irvine: There is a case in the court right now which is not involving the municipality, and this is why I think the member must understand that what we are trying to do is to make a clarification of a point.

Mr. Singer: The member is trying to avoid the case pending into court. He knows it and I know it.

Mr. Irvine: No, that is not avoiding anything. What we are trying to do is say to the member that we think that with legislation set out in good clear terms, in good practicalities—

Mr. Singer: Oh, if it is clear, the member doesn't have to consult anybody.

Mr. Irvine: —we know that we can considerably improve the function of those elected to local levels by taking out this wording of "the satisfaction of all concerned."

Mr. Cassidy: Considerably?

Mr. Irvine: We will make sure that each municipality has ample opportunity to present its views to us, and certainly the minister would not make any modification unless he knew that the municipality had that opportunity.

Mr. Cassidy: I have some grave reservations about the intellectual level of this department.

Mr. Irvine: Mr. Speaker, the Attorney General has spoke about—

An hon. member: Spoken.

Mr. Irvine: —about the sections of 6 and 7 on partial discharge and validation of checkerboarding and so on. I won't enlarge on that but I would like to say that as a former member and mayor of a council I believe very strongly that the responsibility rests in the hands of those who are elected, and to those people over there who say that this shouldn't be at the local level, I say they don't know what they are talking about. It is time to get back to the people and find out.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): The opposition is living in the past.

Mr. Irvine: I am saying to you that this has to be settled by the local municipality—

Mr. Foulds: How about teacher-school board negotiations? How about school negotiations?

Mr. Irvine: —because every situation is different. Each one has to be dealt with on its own merits—

Mr. Foulds: How about principle?

Mr. Irvine: —and there is absolutely no way you can write legislation in this House

that will pertain to the overall province. I think it is time that we forget about party politics and get down to the very simple fact that we have a lot of people—

Interjections by hon. members.

Mr. Irvine: Mr. Speaker, we have a lot of people in this House who sometimes don't want to admit that they would like local autonomy; they want to talk a lot. But I am saying there are a lot of people in this proveince who have been suffering because of—

Mr. Foulds: Let's take the politics out of politics.

Mr. Irvine: —a circumvention of a Planning Act which is not in the best interests of all the people concerned. I am saying to the members of the opposition that I think, really, if they would consider this, at least it is a step forward, if they think of it very carefully and closely.

Mr. Haggerty: The government has not listened to the public. Remember the OMB select committee.

Mr. Singer: As far as they've gone.

Mr. Irvine: It's a step forward. It may not be the final—

Interjection by an hon. member.

Mr. Irvine: —it may not be the final step, but let's look at it this way.

Hon. Mr. White: It's a big step.

Mr. Irvine: What has happened in the last three or four years when the members opposite have been complaining all the time? They say we haven't done anything so we bring forward legislation and they say it's not good enough.

Mr. Singer: That's right. It's nothing.

Mr. Irvine: Why won't the member be man enough to admit that it is legislation which is practical and legislation which will work?

Mr. Cassidy: The Model T Ford car would work too.

Interjections by hon. members.

Mr. Irvine: It's legislation that every person—

Interjections by hon. members.

Mr. Irvine: —every person in the municipalities that are affected will be only too pleased to support. The members opposite will find out when election time comes that the people of Ontario support this government.

Interjections by hon. members.

Mr. Singer: Take it to committee and tell us about it. The member is being political.

Mr. Foulds: Don't bring politics into this.

Mr. Lewis: The member is a man with ambitions. He's got his eye on the leadership.

Interjections by hon. members.

Mr. Irvine: If the hon. members would just listen to a person who has very limited experience—

Interjection by an hon. member.

Mr. Irvine: —and bows to the wisdom of all of the rest of the members, I'm trying to give it to them on a practicality point of view.

Mr. Lewis: In simple English.

Mr. Irvine: And it's as simple as I can make it—

Hon. Mr. Grossman: He's trying to give it to the members opposite.

Mr. Irvine: —for every person. All right.

Hon. Mr. Grossman: It has to be simple for them to understand.

Mr. Irvine: Okay. Now there's another point that I just fail to understand.

Mr. Foulds: That's right—he's convinced himself.

Mr. Irvine: The leader of the Liberal Party, the member for Brant—

Mr. Cassidy: They are almost obsolete, but go ahead.

Mr. Irvine: —expressed some concerns and so did his colleague from Downsview and so did some other people about the legislation concerning site control. Now tell me, if they read this Act, how do the members get all involved and all worked up about development control when we are talking about a site plan?

Mr. Lewis: He always does.

Mr. Lawlor: On first sight.

Mr. Irvine: It didn't go as far as he wanted, but it did go as—

Hon. W. A. Stewart (Minister of Agriculture and Food): It is unusual for him to see the light.

Mr. Irvine: –far as we felt we could at this time. There is absolutely no way–

Mr. Cassidy: But the bill talks about development control.

Mr. Irvine: –there is absolutely no way, Mr. Speaker, that we are going to go into development control any further than we are–

Interjections by hon. members.

Mr. Irvine: –by this legislation in the way of site control, until we have the time to have an overall comprehensive review–

Mr. Lewis: They are so excited by the member's development control he doesn't know what to do about it.

Mr. Irvine: –of the Planning Act.

Hon. Mr. White: This is site control.

Mr. Irvine: And this was something which was recommended by the Law Reform Commission.

Interjection by an hon. member.

Mr. Irvine: And this is something which I think those members should look at very carefully.

Mr. Singer: How many overall comprehensive reviews has the member got on his files now?

Mr. Irvine: Well, Mr. Speaker, I would rather take lots of time and do things properly than not do anything at all, or do it wrong.

Mr. Foulds: That's why the member takes so long, is it?

Mr. Irvine: And I think–

Mr. Foulds: If a thing is worth doing it is worth doing well, to coin a new cliché.

Mr. Irvine: And I think the people of Ontario appreciate the fact that the Conservative Party does it right when it does it–

Mr. Stokes: That's a no-no around here.

Mr. Irvine: –and they won't be led astray by the opposition.

Mr. Breithaupt: Is the parliamentary assistant sure he heard what was said?

Mr. Lewis: Is the government going to try site control on the escarpment?

Mr. Irvine: There is some problem apparently in deciding as to how relevant sections 11 and 12 are.

Mr. Singer: They are only miserable party political problems, though.

Mr. Irvine: Now I really don't know what the problem is in that, because–

Interjection by an hon. member.

Mr. Foulds: So far.

Mr. Germa: He should quit while he is behind.

Mr. Irvine: We are relating to drawings–we are relating to plans which some of the members have been able to understand, some haven't. We are not necessarily talking about height. The height is controlled by the zoning bylaw of the municipality.

Now the member for Ottawa Centre says we should come up with a height or density control. We are saying no. We are leaving it up to the municipalities to decide, and we'll do that until we have had more time to review the Planning Act. We will not go into anything more comprehensive at the present time.

I wonder why there is such a problem in understanding what plans and drawings mean. I just don't understand the member for Downsview taking such strong exception to a municipality asking for a certain plan to be presented for a site development. I find that really just a matter of no concern to me.

Mr. Cassidy: It may be good enough for Prescott, but it isn't good enough for Ottawa.

Mr. Irvine: It is in the legislation allowing the municipalities to proceed, if they wish to, in a certain way. The municipalities may or may not; they don't have to.

Mr. Singer: Mark my words, if the section goes through as it is, the government will be in the courts for years–

Mr. Irvine: Mr. Speaker, the hon. member for Downsview has said that this may be a matter before the courts in the next few years. Well I have had limited experience with lawyers, but I don't know of any subject which they can't disagree on. And I don't know how we can write anything more clearly than we have at the present time.

All I say to the member for Downsview, and anyone else who is concerned about this

particular Act, is that we are not talking about development control. We may bring it in when the city of Toronto has come to us with its views about development control, when the city comes to us with its views about demolition control.

Mr. Lewis: Well they have.

Mr. Irvine: No they haven't.

An hon. member: We are still waiting.

Mr. Irvine: No they haven't.

Hon. Mr. White: They certainly have not.

Mr. Lewis: They already have that given to the government with a bill which the government's backbenchers defeated; they came to the parliamentary assistant with a clause in a private bill.

An hon. member: We are still waiting for them.

Hon. Mr. White: Don't kid us.

Mr. Irvine: I would like to address, if I might, the member for Lakeshore; rather than the member for Scarborough West, because he doesn't understand it as well.

Mr. Lawlor: The government has had behind-the-scenes talks with city leaders.

Mr. Lewis: The government has been meeting with David Crombie for months.

Mr. Irvine: The member for Scarborough West doesn't understand the commitment that was given by myself and by the committee to the city when we said we would work with them in regards to putting through legislation on demolition control.

Mr. Lewis: I understand the demolition control clause.

Mr. Irvine: Now we have asked the city, in co-ordination with our legal advisers, to prepare what we think would be the best for the province.

Mr. Singer: Since the government has done an in-depth study, where is it?

Interjection by an hon. member.

Mr. Irvine: At this time we have not yet received—if the member for Lakeshore would listen—we have not yet received the necessary details that we would like from the city.

An hon. member: And that's a fact.

Mr. Irvine: And we are going to ask them to help us to prepare legislation; and when that comes through from them, we will then implement it.

Mr. Cassidy: We know why—because they did not have a height bylaw and because there were not adequate development controls; that's why.

Mr. Lawlor: The assistant wants us to help him out tonight.

Mr. Irvine: Mr. Speaker, we—

Mr. Cassidy: The government will then implement it—is that right?

Mr. Irvine: —we have to recognize this, that this government wants to work with the elected officials, not against them.

Mr. Lawlor: I always scout the parliamentary assistant when he turns demagogue.

Mr. Irvine: Mr. Speaker, the last point I would like to bring up because of the time of the evening is the fact that apparently there is considerable concern of some members that we are delegating authority to councils, who in turn can delegate certain authority to staff. Well, I just shake my head at that.

Mr. Haggerty: The government never even consulted them. It never even consulted them.

Mr. Irvine: We have sat and we have listened to the opposition talk forever about, "Why don't you give more to the local people; why don't you do this and that?" We are doing it and now, today, the opposition stands here in this House and says we shouldn't delegate authority. The authority will be delegated when the minister has—

Mr. Cassidy: Look at the Liberals; don't look at this party. They are the ones who are—

Mr. Lewis: We are the greatest decentralizers in this House. We never thought of centralizing authority in this House—hardly ever.

Mr. Irvine: The authority will not be given unless the conditions are spelled out. The conditions will be written, they will not be verbal, and they will be given to every municipality when they have the capabilities of handling it.

Now it's beyond me why anybody would stand up and say that there is some concern as to the province giving authority to the elected people at the local level in manners such as planning. And we say this: That

when any council in its wisdom gives authority to the staff at the local level, then that authority should be, in my mind, approved by all. If it is not exercised in the proper fashion by the staff, then that council will certainly withdraw the authority. There is certainly no one at the local level would ever delegate authority to a staff member without making sure the staff member knew all the conditions of that authority, every condition. The person who didn't exercise the conditions of authority as they should wouldn't be in that position very long.

Now, Mr. Speaker, and with all due respect—

Mr. Singer: I don't think we are talking about the same bill.

Mr. Irvine: With all due respect to my learned friends, I think the opposition has not really understood the fact that we are trying to make sure that more delegation is handed down to the local elected people with the extra consideration that, if they wish to, they can also delegate other authority. If the Liberal Party, led by the member for Downsview, thinks in its wisdom that this particular legislation should take another three months or another three years, well, I think it would be nice to have that on record. I am sure, I am confident, that the people of Ontario want this to go through and I am going to say it will go through with the amendments that I suggested earlier.

Mr. Lewis: Mr. Speaker, a star is born.

Mr. Singer: A bad argument.

Mr. Speaker: The motion before the House was that Bill 264 be now read a second time. Mr. Singer has moved an amendment that the bill be not now read a second time but be read a second time three months hence. Therefore, according to the provisions of our standing orders, the question to be decided is whether or not the bill shall be now read a second time.

The House divided on the motion for second reading of Bill 264, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Bales	Braithwaite
Beckett	Breithaupt
Brunelle	Campbell
Carruthers	Cassidy
Carton	Deacon
Downer	Deans
Drea	Edighoffer
Eaton	Ferrier
Evans	Foulds
Gilbertson	Germa
Grossman	Good
Guindon	Haggerty
Havrot	Laughren
Henderson	Lawlor
Hodgson (Victoria Haliburton)	Lewis
Hodgson (York-North)	Newman (Windsor-Walkerville)
Irvine	Nixon (Brant)
Jessiman	Paterson
Kennedy	Reid
Kerr	Riddell
Lane	Ruston
Lawrence	Singer
Leluk	Spence
MacBeth	Stokes
Maeck	Worton—26.
McIlveen	
McKeough	
McNeil	
Meen	
Miller	
Morningstar	
Nixon (Dovercourt)	
Nuttall	
Parrott	
Potter	
Reilly	
Rhodes	
Root	
Rowe	
Scrivener	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Turner	
Villeneuve	
Walker	
Wardle	
White	
Winkler	
Wiseman	
Yakabuski	
Yaremko—54.	

Clerk of the House: Mr. Speaker, the "ayes" are 54, the "nays" 26.

Mr. Speaker: I declare the motion for second reading carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Some hon. members: No, standing committee.

Mr. Speaker: This is at the prerogative of the ministry. It has to be committee of the whole House.

Hon. Mr. Winkler: Mr. Speaker, I would ask permission to return to the order of reports.

Mr. Speaker: Do we have the unanimous consent of the House to revert to reports?

Agreed.

Hon. Mr. Grossman: It's a good thing the member for High Park (Mr. Shulman) isn't here.

Mr. Yakabuski, from the standing resources development committee, presented the committee's report which was read and adopted as follows:

Your committee begs to report the following bill with certain amendments:

Bill 269, An Act to amend the Workmen's Compensation Act.

Report agreed to.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, on a point of order, I think it is worthwhile mentioning, even though it is 10:30 o'clock—

Mr. Lewis: Oh, come on now, why does the Minister of Energy have to do this? It is a friendly night.

Hon. Mr. McKeough: —it should be recorded that in this last week of the session there haven't been more than 11 NDP members here—

Mr. Lawlor: The minister is getting damn silly.

Interjections by hon. members.

Mr. Foulds: On a point of order, Mr. Speaker.

Mr. T. P. Reid (Rainy River): On a point of order, Mr. Speaker, in the euphoria here this evening—

Mr. Lewis: We wouldn't wish to overwhelm the government with numbers.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Lewis: The minister's party probably lost that non-confidence motion in Ottawa tonight.

Mr. Reid: I had a point of order, Mr. Speaker.

Mr. Speaker: These comments were out of order.

Interjections by hon. members.

Mr. Lewis: Of course, they were out of order. In fact, you should censure him.

Mr. Reid: Mr. Speaker, in the euphoria of two minutes earlier, before the Minister of Energy said his piece, in response to your call for third reading of the Workmen's Compensation Act, I said standing committee. It was my understanding that if we don't do that the minister can't bring in his amendments that we agreed on.

Mr. Singer: In committee of the whole House.

Mr. Lewis: It has been to standing committee.

Mr. Reid: The Speaker said it was ordered for third reading.

Mr. Good: There was a dissenting voice on that. So it is committee of the whole House.

Mr. Speaker: There was not a dissenting voice.

Mr. Reid: Yes, there was.

Mr. Speaker: I heard none.

Mr. Lewis: Well, then you have problems.

Mr. R. F. Nixon: If the minister wants to bring in some amendments, maybe we could get some support from that side. If he wants some of those brought in, let's have it in committee here, committee of the whole House.

Mr. Speaker: The procedure at that particular point was to determine by a voice vote of the House whether or not the bill should be ordered for third reading.

Mr. Reid: I said committee.

Mr. Speaker: Perhaps I have defective hearing. I heard no dissenting voice.

Mr. Breithaupt: This is Monday.

Mr. Speaker: If, in fact, there was some misunderstanding or some absence of detec-

tion of voices and if the hon. minister wishes the bill to go to committee of the whole House, I am not averse to retracting my opinion as expressed.

Hon. F. Guindon (Minister of Labour): Yes, Mr. Speaker, committee of the whole House.

Interjection by an hon. member.

Mr. Lewis: Cut that out! Why doesn't the Minister of Energy sit down!

Hon. Mr. McKeough: I should have pointed out, Mr. Speaker, that there has been much better attendance by the Grits but nobody's noticed the difference.

Interjections by hon. members.

Mr. Speaker: Order, please. Does the hon. minister wish the bill to be referred to the committee of the whole House?

Hon. Mr. Guindon: Yes, Mr. Speaker.

Mr. Speaker: The bill shall then be referred to committee of the whole House.

Hon. Mr. Winkler: Mr. Speaker, tomorrow we will call as the first item of business the third readings standing on the order paper. The second item will be Bill 264, then Bills 268, 269 and 274. Then we will return to item 16, the budget debate.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:40 o'clock, p.m.

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No. 163



Legislature of Ontario Debates

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Tuesday, December 11, 1973

Morning Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 11, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Orders of the day.

Clerk of the House: The 20th order, House in committee of the whole.

PLANNING ACT

House in committee on Bill 264, An Act to amend the Planning Act.

Mr. Chairman: Anything on this bill before section 7?

Mr. V. M. Singer (Downsview): Yes, Mr. Chairman, section 4.

Mr. Chairman: The member for Downsview, section 4.

Mr. M. Cassidy (Ottawa Centre): Section 1.

Mr. Chairman: The member for Ottawa Centre.

On section 1:

Mr. Cassidy: Mr. Chairman, on section 1, subsection (1). Are these questions to be directed to the minister or to the parliamentary assistant (Mr. Irvine)?

Mr. Chairman: The parliamentary assistant.

Mr. Cassidy: Yes. Sometimes I think the minister uses his parliamentary assistant as his punching bag. I am glad he himself is in the House today.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Decentralization.

Mr. Chairman: Let's get back to the bill, please. Section 1.

Mr. Cassidy: I just point out, Mr. Chairman, when the minister is in the House then it's possible for the parliamentary assistant to consult with the minister and to make statements or changes to the bill. Since the minister is in the House right now, I just say to him that, for example, when the—

Interjections by hon. members.

Mr. Chairman: Order, please. May we get back to the contents of the bill?

Mr. Cassidy: When the hon. member for York East (Mr. Meen) was carrying a bill for the minister through the House the other day, he was unable to accommodate even technical wordings or small amendments. I really regret that, and it seems to me it is ludicrous. If the hon. minister intends to let the parliamentary assistants take these bills through the House, he should also delegate to them the authority to make such changes as appear to be appropriate.

Mr. J. E. Stokes (Thunder Bay): See how slack the Tories are in the morning?

Mr. I. Deans (Wentworth): Absolutely. A point well taken.

Mr. Cassidy: I wonder what it is about the Conservatives this morning, Mr. Chairman. Obviously they got out of bed on the wrong side or else they wouldn't be reacting in this angry fashion.

Interjections by hon. members.

Mr. G. Nixon (Dovercourt): Get off that stuff.

Mr. Cassidy: They are angry and it ought to be directed against the House leader (Mr. Winkler) and the Premier (Mr. Davis) and the people like that—

Mr. Chairman: Order, please.

Mr. Cassidy: —who manage the business of this House in such a way that we are sitting here with major legislation which ought to go to standing committee rather than coming here.

Interjections by hon. members.

Mr. Cassidy: Before we proceed any further, Mr. Chairman, could I ask the minister—

Interjections by hon. members.

Mr. Chairman: Order, please. May we get on to the bill now please?

Mr. Cassidy: I'm on the bill now, Mr. Chairman.

Mr. Chairman: Thank you.

Mr. Cassidy: I've been on the bill ever since we began this morning.

Interjections by hon. members.

Mr. Chairman: Section 1.

Mr. Cassidy: Could I ask the minister whether he will reconsider his decision to take this bill through committee of the whole and whether he will instead agree that it ought to be put into standing committee in order that outside groups such as municipal people, planning people, citizens' groups, developers and people like that who wish to comment on the bill would have the opportunity to make comments on the bill?

Hon. Mr. White: I don't think it is necessary. Ninety-nine per cent of this bill has been subjected to months of public scrutiny.

Mr. Cassidy: I'm sorry; could the minister explain a bit further? I don't know when months of public scrutiny have taken place on the bill; given the fact that it was printed only last Wednesday night, there has been no opportunity for that. For that matter, given the fact that members of this Legislature have been preoccupied with legislation from 10 o'clock in the morning until 10:30 at night since the time the bill was printed, perhaps the minister can say how does he feel that public scrutiny has been advanced by the handling of the bill?

Mr. D. R. Irvine (Grenville-Dundas): Mr. Chairman—

Mr. Cassidy: No, that was directed to the minister.

Mr. Chairman: I wonder if the minister could make a quick answer and then let's get down to section 1 of the bill.

Mr. Deans: Make up your minds who is answering.

Mr. J. H. Jessiman (Fort William): On with the bill.

Hon. Mr. White: Sir, some of this material springs from the report of the Ontario Law Reform Commission that was circulated to, I suppose, thousands of councillors and others across the province many months ago. I don't remember the date. Other provisions were announced by the Premier and me on Sept. 13 and went through a rather rigorous process of scrutiny with regional chairmen and others in open public meetings covered by the press. The fact that the hon. member didn't find it convenient to attend any of those meetings, I suppose, is not my fault.

Mr. Singer: Mr. Chairman, could I speak to that?

Mr. Chairman: No, I think that would be out of order now.

Mr. Singer: If you have allowed two speakers to speak out of order, surely the third one can as well?

Mr. Chairman: No, I am going to rule—

Mr. Singer: No, Mr. Chairman, there is a point being made here and while I'm not completely in agreement that the remarks of either of the hon. gentlemen were in order, let me say only this: I don't think the tabling of reports or public discussion of reports in advance of legislation is by any means public discussion.

The government brings reports before people, convenes meetings and so on and discusses a variety of methods of proceeding. None of those is finalized until a bill is brought forward. The bill was brought forward last Tuesday, just a week ago today, and only at that time did we know or did anyone else in the province know what the government's thinking was.

The point I was trying to make yesterday and my colleagues with me were trying to make yesterday, and the point on which we divided the House, was that there hadn't been ample time for proper public discussion about the government's decision. Notwithstanding the fact the minister did, as he says, take a number of ideas through a variety of responsible people in the province, that is not the substitute. This is the government's decision and that is what we believe should be publicly discussed.

Mr. Chairman: I suggest now we get down to section 1. The member for Ottawa Centre.

Mr. Cassidy: I have just one other question about this, Mr. Chairman. Let me take five groups, that are maybe representative of people who might be interested in this bill, but are not municipal groups.

Mr. Chairman: No, could we get back to the bill, please, section 1 of the bill?

Interjections by hon. members.

Mr. J. F. Foulds (Port Arthur): It is your job to rule the House, not to listen to the barking of the backbenchers across the way.

Mr. Cassidy: That is right, Mr. Chairman. I would point out subsection (1) of section 1 embodies the decision—

Interjections by hon. members.

Mr. Chairman: Order, please. Allow the member for Ottawa Centre to speak.

Mr. Jessiman: All the yakking is being done by the member for Port Arthur.

Mr. Cassidy: —of the government to make artificial distinction in the realm of planning, between responsibility for overall planning policy to the Treasurer and responsibility for planning administration to the Minister of Housing (Mr. Welch). That's why I am addressing this question directly to the Treasurer. Maybe I could ask the Treasurer before we get into the nuts and bolts of the bill?

If I can name five groups—the Urban Development Institute, the Housing and Urban Development Association of Canada, the Confederation of Residents and Ratepayers Associations in Toronto, the Federation of Citizens Groups in Ottawa and, let's say, the Ontario Federation of Labour or the Metro Toronto and District Labour Federation—were any of those groups consulted in any way about any aspects of this bill?

Hon. Mr. White: Well, sir, I would like to make one point very clear at the beginning. In accordance with the rules and the new structure, the parliamentary assistant is taking this legislation through the legislative process. That was announced when I introduced this bill. I am not going to get drawn into some kind of a hassle with members opposite if they attempt to put me into contradiction with my parliamentary assistant.

Point No. 21, the Ontario Law Reform Commission report would have been available to all of these groups, yes, and that constitutes the basis of much of the bill. The other point that must be made is there was very full circulation given to the government's intentions on and after Sept. 13 in a wide variety of communication. Presumably, the five groups referred to had access to that information.

As with all other legislation, if any imperfections reveal themselves over time those can be corrected. Such are not anticipated, I am quick to say.

Mr. Cassidy: I just want to make the point, Mr. Chairman, even though parts of the bill were available for circulation, as the minister quite rightly says, that is not the same as having the actual bill, as the member for Downsview pointed out. Of the parts that were circulated, there are a number of changes in question as to the delegation of powers to municipalities. The details were not spelled out and can only be spelled out when the minister or the parliamentary assistant is before a standing committee with his officials and can spell out the intentions and the actual meaning of the actual legislation.

The legislation was at no time circulated. In the case of the amendments consequential on the question of checkerboarding, there has been no circulation to my knowledge and no attempt at public discussion. Although the matter has been widely discussed, the remedies proposed by the government have not been widely discussed.

On section 1, Mr. Chairman, I would like to point out to the minister and to his assistant what appear to me to be some pretty serious contradictions here.

Section 1 of the Planning Act is the definitional section, and you have here the Treasurer being the minister who designates a municipality which has evolved as the kind of leading municipality in a joint planning area. You have the Treasurer defining a planning area. According to section 2, you have the Treasurer again defining and naming a planning area and, according to section 3, you have the Treasurer approving appointments to planning boards in municipalities and territories that are not organized. And in section 5 you have the Treasurer varying the constitution of the planning board. All these things are being done by the Treasurer.

But if you turn back to section 4, you have this rather ludicrous aberration where the Act says, and since it isn't amended it will still say: "A planning board is a body corporate by the name . . . Board (inserting the name designated by the minister). . . ." That means the Minister of Housing. So while the Treasurer designates the planning area and may in certain cases have authority of approval over the members of that planning board, it's the Minister of Housing who concerns himself with the name of the planning board. In fact, I believe that that was a mistake in the drafting and that the parliamentary assistant, if he has that authority, should bring in a minor amendment to section 2 of this particular bill.

But as you go through these amendments to the Planning Act, Mr. Chairman, what you find is that it's the minister who knows what's

happening in each particular planning area. It's the Minister of Housing who in future will bring in minister's orders where it is felt that local zoning bylaws are inadequate for problems that happen to arise. It's the Minister of Housing and his staff who will be in regular contact with local planning people. It is the minister and his staff who will be responsible for planning approvals in municipalities which have not taken over powers delegated from the government. It is the minister and his staff who will have the power of review and the power to pull back matters when there is delegation to municipalities but when the ministry or the government feels the delegation is not being handled properly.

If so much in the way of administration is going into the hands of the Minister of Housing, it seems to me you have far surpassed or crossed any artificial line that could be drawn between administration and policy. Therefore, these sections in section 1 of the bill which refer to the Treasurer should in fact be amended to state "minister." As far as we are concerned, we achieve that simply by voting against this particular section of the bill. We have already stated what we feel about it; maybe the parliamentary assistant could comment on how he sees the distinction between administration and policy running between the Treasurer and the Minister of Housing.

Mr. Chairman: The member for Grenville-Dundas.

Mr. Irvine: Well, Mr. Chairman, I see nothing inconsistent whatsoever with the way it is laid out. The Treasurer is responsible for overall planning, as I stated before, when we were speaking on another bill, an amendment to the Ministry of Treasury, Economics and Intergovernmental Affairs Act. The Minister of Housing will be dealing with the administration of planning in a certain area. So I am not about to change the Act, as has been suggested by the member for Ottawa Centre, and again I say this is a clarification of the duties of the Treasurer and the duties of the Minister of Housing.

Mr. Cassidy: The designation of a municipality in a joint planning area is surely a matter of administration. It's a matter in which, if the Treasurer retains that power, he will have to go to the staff of the Minister of Housing in order to get advice as to which municipality ought to be designated. Is that not correct?

Mr. Irvine: Not necessarily.

Mr. Cassidy: Not necessarily. Well, in other words, he will do it without advice, and that means he will do it badly because he doesn't have that kind of advice in his own ministry.

Mr. Irvine: Well, Mr. Chairman, that is far from the truth, and certainly the member should realize we have a great deal of expert staff in our ministry to handle overall planning policies.

Mr. Cassidy: Yes, Mr. Chairman, but that staff is being transferred to the Minister of Housing under the bill we passed last month—

Mr. Irvine: No.

Mr. Cassidy: Yes, the plans administration branch, which was responsible for that, is being transferred. You have now established a local planning policy branch—I think that is the title of Mr. Bain's new department; I have his card in my pocket, I can't remember the actual title of it. But that is an artificial distinction. Mr. Bain will advise the minister as to what to do about this particular thing. Frankly, if that's all that he is going to be doing, then that just isn't enough work to justify paying $18,000 or $25,000 a year to a senior ministry official. I'm sure there will be other things as well, but it seems to me the distinction is going to be artificial and it is going to make difficult the creation of good planning law.

If you have the policy on one hand and the administration on the other, and the administrators know the problems, they have to come running over to the minister in another department in order to tell him the problems and tell him what to do, and work through Mr. Bain or other people in the Treasurer's department in order to get it done. Therefore the decisions, the recommendations made about policy, will be made in isolation from the experience of what is happening with the implementation of policy due to the administration being carried out in the Ministry of Housing. Surely that is self-evident to the assistant.

Mr. Irvine: No, Mr. Chairman, as to what's self-evident as far as I am concerned, the member doesn't understand what we are doing, and I don't think he ever will. But let us assume, if we might, that we can go along with the Act as it is set out, making sure that the Minister of Housing knows exactly what he is responsible for and the Treasurer knows exactly what he is responsible for in regard to planning. If there are any areas of controversy in the future, we can change it.

I don't foresee the problems that are brought forth by the member for Ottawa Centre.

Mr. Cassidy: Mr. Chairman, we are going to oppose this section because the effect of section 1 is to substitute "Treasurer" for "minister," and we would like it to refer to the Minister of Housing throughout. So we will oppose this particular section 1.

Mr. Chairman: Shall section 1 carry?

Mr. Cassidy: No.

Mr. Chairman: Those in favour of section 1 being part of the bill, please say "aye."

Those opposed please say "nay."

In my opinion, the "ayes" have it.

Mr. Cassidy: We will stack it, Mr. Chairman.

Mr. L. C. Henderson (Lambton): Just enough. Five New Democrats.

Mr. Foulds: That makes the odds just about equal. We didn't want to overwhelm you.

Mr. Stokes: We have a better percentage than you have.

Mr. Chairman: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): In the presence of the Attorney General (Mr. Bales), I would like to discuss for a moment section 6, Mr. Chairman.

Mr. Chairman: Shall section 2 carry?

Mr. Cassidy: Mr. Chairman, we will also oppose section 2 and if it is okay we will stack that one as well.

Mr. Chairman: We'll stack section 2.

Section 3, shall it carry?

Mr. Cassidy: Section 3 is okay.

Section 3 agreed to.

On section 4:

Mr. Singer: On section 4, I have an amendment.

Mr. Chairman: On section 4, the member for Downsview.

Mr. Singer: Mr. Chairman, as I mentioned in the debate on second reading, we do not believe that the change in section 4 is a rational or logical one. The parliamentary assistant tried to pass it off as a minor matter. Well, it really isn't a minor matter if you are putting the minister in the position where he can override, without notice, the decision of the local municipality.

As I pointed out, Mr. Chairman, to the parliamentary assistant yesterday, there is at least one case either in the courts or ready to go before the courts, and I don't suspect, I tell you, that I believe that this section is being written to avoid that kind of litigation. And I think that is a terrible thing. I think that you are trying to circumvent, by a change in legislation, a bad draftsmanship job or a bad decision.

But is the decision really bad? The decision involves local consultation. What we are talking about is an official plan. Now I don't know how you do official plans down in Grenville-Dundas, but I can tell you how they do them in North York.

Mr. R. Haggerty (Welland South): Don't even have one there.

Mr. Singer: In North York, when they want to bring in an official plan—and now they are doing district plans—the process goes on for the better part of two years. The planning staff does a study and they call in outside consultants. Copies of the study are made available, and large advertisements are put in the newspaper, and notices are sent to the residents affected, and a series of public meetings are held, and the residents affected have an opportunity to come in and say, "Yes, we like this," and, "No, we don't like that."

Then there is a full hearing before the planning board that often goes on for days and days, so that the planning board people can listen to the concerns of the residents and make changes or not make changes, or explain what they have in mind. Eventually the planning board makes a decision and then it goes on to the council, the elected people, the people those ratepayers have voted for and put in office, and they go through the same process again; before it goes to the minister.

So when it finally arrives there after this process of at least two years, at least it is a creature that has been put together by very considerable and proper public discussion. Everyone may not agree with everything that's there but it's somewhat of a consensus and the fiscal responsibility rests with the elected representatives of the people.

What you're saying in this section, when you take out these words in section 14, is that the minister, after he receives this document that is evolved in this way, can unilaterally and without discussion change it.

What you're saying is: "And if the modification appears to be desirable to the minister he shall make such modifications and

cause the plan to be amended accordingly." You're putting that in to replace these words: "The minister shall settle such modifications as far as possible to the satisfaction of all concerned and cause the plan to be amended accordingly."

"As far as possible to the satisfaction of all concerned," may not be definitive, but at least it says to the minister the Legislature has said: "You must consult; and if you can't satisfy everybody concerned the eventual decision comes to the minister." I have no strong quarrel with the eventual decision line, but the section, as it previously stood, makes it necessary that the minister consult, and as far as possible try to work out an agreement; and if he can't, then he's got the final decision. Here you're removing any necessity for that.

You can shake your head; last night you said nobody's going to do it without consultation. I don't really accept that at all.

Mrs. M. Campbell (St. George): That's just what he said.

Mr. Singer: A minister is going to pick up the statute and say: "I am not required to consult. I don't have to consult. I used to have to consult, but I don't now because the legislation has been changed and it specifically removes from my shoulders the burden of consulting. If I want to do something I can do it and there is no legal sanction that makes me consult."

I say that's wrong. With all the goodwill that any minister or parliamentary assistant or anybody else might have, if the statute says you don't have to consult you don't have to consult, and many ministers are not going to consult.

I think this is wrong, wrong, wrong! Therefore, Mr. Chairman, I'm going to propose an amendment.

Mr. Singer moves that section 4 be amended by adding thereto, at the end thereof, the words, "after consultation with the municipality affected."

Mr. Singer: I think that's important, I think it's mandatory, I think it's basically democratic; and I hope it carries.

Mr. Chairman: All right, we have the amendment. I think you've heard the amendment of Mr. Singer.

Mr. Cassidy: No.

Mrs. Campbell: There's somebody waiting to speak.

Mr. Singer: Several people want to speak to it.

Mr. E. R. Good (Waterloo North): Mr. Chairman, speaking to the amendment—

Mr. Chairman: The member for Waterloo North.

Mr. Cassidy: I am sorry, can we hear the amendment, Mr. Chairman?

Mr. Chairman: I am sorry, I'll read the amendment. It is that section 4 be amended by adding thereto the words, "after consultation with the municipality affected." The amendment is Mr. Singer's.

The member for Waterloo North.

Mr. Good: Mr. Chairman, speaking to the amendment, the parliamentary assistant indicated last night that the old wording in the bill said: "The minister shall settle such modifications as far as possible to the satisfaction of all concerned."

I think the interpretation the parliamentary assistant tried to indicate had been put on this is that it was impossible to settle it to the satisfaction of all concerned, which would mean all persons who had ever been before any kind of hearing or who had ever been affected in that municipality by this particular change in an official plan. Granted if the minister did want to make some minor modifications of the plan it would be most difficult to go back through all the hearing process again, we can understand that. But we in this party feel there is no reason whatsoever the minister should not be obliged, by statute, to go back to the officials of the municipality or the planning department of the municipality for further consultation before he does make the modification. You're going to say he's going to do that anyway; but according to your new statute, your new wording, he doesn't have to do that.

Maybe it is impossible, as I say, to carry out the letter of the law in the old wording "all concerned." I think those words could very easily be changed, as has been suggested by the member for Downsview, at least to allow for consultation with the municipal officials in whose area this modification of the official plan is taking place. It is a very reasonable solution to the problem and one that would remind the minister he can't do it as a unilateral effort but has to go back to the municipality.

Mr. Chairman: The member for Ottawa Centre.

Mr. Cassidy: Thank you. Could we have a reaction from the parliamentary assistant to that proposal from the member for Downsview?

Mr. Irvine: Yes, Mr. Chairman, I would be happy to say a few words to the member for Downsview. I was copying his amendmend down so I would have it exactly as he give it to the chairman, that was all.

The intent of the legislation apparently is what is bothering the member. As I said last night, there would have to be consultation with the council of the municipality for the minister to be able to make the modification; I am sure there is no doubt about that. But what I was concerned about, and this is what we are concerned about when we say "all concerned"—

Mr. Singer: All right; that is why I want to leave it the way it is.

Mr. Irvine: Yes, the only thing I think we should have is, "after consultation with the council of the municipality affected."

Mr. Singer: All right, "council of the municipality." I would be quite prepared to add that.

Mr. Irvine: I have no objections.

Mr. Singer: On a point of order, could I ask the chairman to amend my proposed amendment by putting in "council of the municipality affected" instead of "municipality affected"?

Mr. Chairman: The member for Ottawa Centre.

Mr. Cassidy: I had a proposal that was much more complicated which would have had the minister formally refer an official plan back to the council of the municipality with the modifications that he considered desirable, and then they might come up with something different from what the minister had suggested but which might still be acceptable. If, on the second round, the minister was still dissatisfied with the official plan, then we would have had him make the amendments as was originally proposed. But this is acceptable to us and I welcome the flexibility being shown by the parliamentary assistant.

Mr. Foulds: Why don't you applaud him when he is nice to you, you guys?

Mr. Singer moves that section 4 be amended by adding thereto the words "after consultation with the council of the municipality affected."

Mr. Chairman: It is accepted by the member for Grenville-Dundas.

Motion agreed to.

Section 4, as amended, agreed to.

On section 5:

Mr. Cassidy: Section 5, Mr. Chairman. I would like to say to the parliamentary assistant as far as 5(1) is concerned, I understand this gives the Minister of Housing authority to approve a redevelopment plan. Can the parliamentary assistant say how this will work, in particular in relation to neighbourhood improvement plans, whether re-development plans amount to the same thing as neighbourhood improvement plans, and if so, at what speed the government intends to go forward with this kind of negotiation on behalf of the Minister of Housing?

Mr. Irvine: Mr. Chairman, I really can't reply directly to that question posed by the member for Ottawa Centre. I would be hopeful that the Minister of Housing will proceed as quickly as possible. I certainly can't speak for the minister in regard to implementation of any of these federal-provincial programmes such as NIP or RAP. I am sure they will go forward, but as to when, there is absolutely no way I can give a date in this House.

Mr. Cassidy: Am I correct, Mr. Chairman, that the redevelopment plans referred to under the Planning Act amount to the same thing as the NIP and RAP plans, which are referred to in the federal legislation and which will be up to the Minister of Housing to administer?

Mr. Irvine: Mr. Chairman, I would say that is part of the redevelopment plan as referred to in the Act, not necessarily the entire deal.

Mr. Cassidy: Can you possibly summon up the Minister of Housing by flicking your fingers and ask him to explain what it was that he decided with Mr. Basford yesterday, since we haven't seen him in the House since? He obviously is in a state of euphoria but—

Mr. Chairman: Shall section 5 carry?

Mr. J. E. Bullbrook (Sarnia): May I just ask a question before section 5 carries, not to take issue with the section, but for my own understanding and clarification? Is it the intention of the government in connection with the use of the words "rehabilitating such

lands and buildings" to give the municipality the right to raise buildings if necessary? Would you consider that would be rehabilitating the lands? I've very concerned that we do not restrict the municipality in connection with what it actually wants to do.

Mr. Irvine: That could be part of the municipality's plan for rehabilitation. It could be. It's up to the municipality, I would say to the member, Mr. Chairman, to decide what it wishes to include in the redevelopment plan, but certainly raising some buildings could be part of the plan.

Section 5 agreed to.

On section 6:

Mr. Lawlor: I wish particularly to discuss section 6 through you, Mr. Chairman, with the Attorney General as it is a technical legal problem. Would the Attorney General first of all agree that under the Constitutional Questions Act provisions, where four different types of situations were elaborated and many questions asked arising out of them—in total, nine—all the obvious gaps, at least, with the passage of this particular section are now being closed?

The first and second situations—I won't go into the technicalities—didn't have at the initiation, at the very beginning, any subdivision control bylaws but they were subsequently applied. The passage of the amendment of 1970, I think, effectively closed those gaps by covering in a blanket form all subdivisions and therefore, as property passed from A to B, it was an advance in a general way covered by subdivision control. Therefore the passage of the deeds without consent was invalid.

The third situation on which many questions were asked had to do with the simultaneous deed concept. Again, legislation has been passed. That particular opening has been closed and now we are at the last step in the process as thus far seen, namely, the taking back of a mortgage and the partial discharge of that as a way of circumventing the legislation.

It means a redefinition of the thing which was so important in the Forfar decisions—the definition of the word "fee". Fee has always, at least in part of its meaning, been identified with the equity of redemption; that is, the mortgagor's right to redeem the property and obtain back the legal title in the property to himself, always retaining the equitable title.

What has happened in your legislation as I see it at the moment—I want you to confirm this—is that the mortgagee, by a redefinition really, is held now under legislation and artificially, to hold the fee. When he discharges the south half of Green Acres, still owning the north half of Green Acres, he effectively splits the property, retaining the fee, in effect, in both areas; one by way of a legal title, the other by way of the equitable title. Is that the way the Attorney General sees this particular clause operating?

The second thing I wanted to mention under this head is a question of pure draftsmanship. When you are fiddling around with section 29, with which you have had an infinity of trouble in the courts, costing people enormous sums of money and yourself great aggravation of spirit, why wouldn't you alter that section 29 in order to make it crystal clear that what you're talking about is the passage of any fee, legal or equitable? Wouldn't that be a simple enough thing instead of, down through the years, talking about entering into agreements of sale and purchase of land or entering into any agreement that has the effect of granting the use of right and so on of property over certain periods of time, in excess of 21 years, namely?

The wording "by way of deed or transfer or grant or assign"—let's go on with the mortgage concept. Would it not be better to have simply said you are going to use the words "deed" or "transfer" or "by way of the passage of either legal or equitable title to the property"? I would have thought that from the very beginning that kind of wording would probably bring a crimp to these particular machinations.

I think the Attorney General will agree with me that this is all this is going to do. Having closed the last more obvious gap, the particular weapons or devices that have been thus far utilized by conveyancers to beat the legislation are now just a further degree of ingenuity as to the way in which titles are transferred.

The section that we are dealing with here is extremely specific. It is concerned with discharges and partial discharges of mortgages as one way of getting around the legislation. It seems to me that by manipulating the trust concept it is possible to get into a situation where A, in selling the property despite the fact of subdivision control, doesn't retain any fee. If it were drawn just a little broader, you'd probably beat the beggars at their own game and have outmanoeuvred them by way of covering the waterfront, touching all the legal possibilities that have come down from British law touching the

way in which property may be held and cutting both of them off—the two main channels anyway.

This is the last of my basic thoughts with respect to this. I think it is a good section. I think it's a move that does effectively cut off this particular device in the twisting of this law. Nevertheless, on the couple of points I made mention of I would like to hear what the legal officer of the Crown has to say.

Mr. Chairman: Mr. Minister.

Hon. D. A. Bales (Attorney General): Mr. Chairman, the member is quite right. Insofar as we can see or anticipate at this present time, this method blocks the only outstanding way or the obvious way of defeating the proper division of property. I think it is a reasonable way of tackling the problem. It changes the law as we have traditionally known it in reference to mortgages, but it is necessary in this instance.

As for the other matter, section 26 of the Planning Act was always drafted particularly in order that the public should bear in mind it dealt with the division of property as held by an individual.

Mr. Bullbrook: Could the Attorney General speak up a bit? I am trying to listen.

Hon. Mr. Bales: Sorry. Section 26 dealt with the division of a person's property into one or more parcels. While we might have technically worded it initially—and that would be long years ago—relating to fee and other matters, I think that's an overtechnical use of language, because the public would not understand that, and I think we would have created more problems than we have by the language that has been traditionally used. In the amendment that took place, I think about 13 years ago, we dealt with the matter of agreements of sale. Prior to that time that had not been covered. Many people overlooked it over the years.

Nevertheless, it was in the wording of the section and the public understands agreements of sale. It understands conveyance and that sort of thing. But if you start talking about fee and power of appointment, the public is completely lost and will not understand what you are talking about, even though these matters affect it very greatly. So I think on that basis our predecessors have dealt with this in a proper way. It has been difficult over the years to cope with legal and man's ingenuity.

I'm sure we may have still other situations that will arise. But that's what lawyers to a degree are for. They are going to find a way around. There is no point in getting frustrated and think we have now dealt with everything that will ever happen on this because there will be changes. We've got problems in the township of Marlborough, for example. Somebody has developed a new kind of scheme. All right, we'll cope with it.

Mr. A. J. Roy (Ottawa East): Why are you not there sitting in on it today?

Hon. Mr. Bales: Because that case was finished last Thursday.

Mr. Roy: You missed it.

Hon. Mr. Bales: Last Thursday.

Mr. Roy: Why weren't you there?

Hon. Mr. Bales: I think we have dealt with this matter in a reasonable and a positive way.

Section 6 agreed to.

On section 7:

Mr. Singer: On section 7—

Mr. Chairman: On section 7, the member for Grenville-Dundas has an amendment, if he may put it first.

Mr. Irvine moves that section 7 of the bill be struck out and the following inserted in lieu thereof:

The said Act is amended by adding thereto the following section:

29a.—(1) The minister may, by order, in respect of land described in the order, provide that the contravention, before March 19, 1973, of section 29 of the Planning Act or a predecessor thereof or of a bylaw passed under a predecessor in section 29 or of an order made under clause b of subsection 1 of section 27, as it existed on June 25, 1970, of the Planning Act, being chapter 296 of the Revised Statutes of Ontario, 1960, or a predecessor thereof does not have and shall be deemed never to have had the effect of preventing the conveyance or creation of any interest in such land, provided that the order does not affect the rights acquired by any person from a judgement or order of any court, given or made on or before the day on which the order is filed with the registrar of regulations.

(2) No order shall be made by the minister under subsection 1 in respect of land situate in a local municipality unless the council of the local municipality in which

the land is situate has, by bylaw requested the minister to make such order, which such bylaw the council is hereby empowered to pass.

(3) A municipality may, as a condition to the passage of the bylaw under subsection 2, impose such conditions in respect of any land described in the bylaw as it considers appropriate.

(4) Nothing in this section derogates from the power of the minister, a land division committee or a committee of adjustment to grant consents referred to in section 29.

Mr. Bullbrook: Do you want to read it, Mr. Chairman?

Mr. Chairman: Yes.

Mr. Bullbrook: I just want to make a brief comment. As the minister and certainly his colleague, the parliamentary assistant, are well aware, I have been involved actively in some type of relief where people have found themselves in extreme difficulty, strangely enough with no intention of malfeasance but as a result of judicial interpretation of this section.

I want to say the government has assisted me and others with respect to relieving those difficulties, and the way we went about it was this very method of having the municipality request that relief be granted, so I am appreciative of the intention of the section.

The one thing that causes me concern is subsection (3); that is almost a carte blanche to the municipality. I have been concerned over the past few years, and I am sure those involved with development work are concerned themselves, with perhaps an undue ability on the part of a municipality to impose conditions that at times can be absolutely unreasonable.

Impost charges that are excessive in their amount are transferred to property owners—I know myself that at one time we debated with one of my councils the possibility of an impost charge on each lot of $1,200, which they recognized themselves was excessive, but the general attitude of the municipal councillors at that time was that it would certainly sweeten the coffers for future development in the area itself.

As you read subsection (3), it says:

A municipality may, as a condition to the passage of a bylaw under subsection 2, impose such conditions in respect of any land described in the bylaw as it considers appropriate.

I recognize that some of these situations have had the effect of aborting, for example, the dedication of land for public purposes; they have had the effect of aborting the statutory obligation of a developer to pay five per cent in lieu.

I recognize that a municipality therefore should have the right of saying, "Now, as innocent as you may have been, you had a statutory obligation before, as far as public lands in the future are concerned, to participate in connection with the burden that you will put on future services in our municipality."

At the same time, I ask the parliamentary assistant to recognize that the words in this subsection give almost carte blanche power to a municipal council, and I wouldn't want to see them in a position of placing excessive impost charges.

Again, as my colleague so well put it on subsection (4), I am concerned about the reverse now. As we didn't want the minister to have totally arbitrary powers, I think the parliamentary assistant recognizes, because the initiation of the resolution of problems must come from a municipality, the municipality at the same time could make it such that those problems wouldn't be resolved without what might almost be considered—and I hate to use the phrase—blackmail as far as the conditions are concerned. I just wondered if you could consider in your own mind—

Mr. Singer: I have an amendment.

Mr. Bullbrook: Oh; apparently my colleague has an amendment that has this in mind.

Mr. Singer: It tries to deal with this one.

Mr. Stokes: Don't you talk to one another?

Mr. Singer: Mr. Chairman, in the remarks I made yesterday about section 7, even as the section is now amended, I expressed certain grave doubts, which remain with me, about the mechanics of the way this is going to work out. I've talked to the Attorney General about it and the Attorney General indicated there are going to be work sheets that will indicate the method by which the whole procedure will work, the requirements that he or his officials will look for as the municipal council or the citizens affected might want to avail themselves of these procedures.

However, I would like to see this kind of thing written into this section. For instance,

the first thing that puzzles me is that if the purchaser of an individual lot comes forward and says: "I want some relief because apparently I have a bad title," is it logical that an order be made only for him? Should the order not be made for all of those who bought or who entered into agreements in the same area from the same developer? Certainly if you are going to attach conditions, it doesn't seem logical if there is going to be permission given to the local municipality to attach contions, that the conditions be attached only to the one applicant.

If a condition is that a road be built or a road allowance be dedicated, what is the local municipality going to do with 50 ft frontage on a 66-ft road allowance? Not very much unless it gets the whole road allowance from one end of the development to the other end. It makes little sense that somebody pay into the municipal treasury what might be calculated as their share of eventual road construction or their share of eventual watermain construction and so on.

So if the thing is going to make any sense, it would seem to me when applicant A initiates the application to the municipality, there must be some onus on municipal authorities or provincial authorities to notify all of the other people in the area who are affected by the same kind of development that this is now about to be considered. It really is an area problem.

Checkerboarding of one lot is quite insignificant. The great concern arises where you have several hundred lots and several hundred people suffering at the same time.

I think there has to be a mechanical device, written into the order, whereby all of the people apparently affected are going to be dealt with if anything is going to be done; and there must be some provision for notice.

Then I would think that if there are conditions going to be imposed, and my colleague from Sarnia is touching on this, if there are conditions that are going to be imposed that involve the expenditure of money or the levy of expenditures on an individual owner, surely those conditions should not be imposed unless there is some indication of consent from that owner; or if we go into the whole area, which is more logical, from a majority of those owners. If it is going to cost an inordinate sum of money to construct a road and to build a watermain and to provide adequate means of sewage disposal, some of the people who are affected, who have spent $1,000 or $2,000 for a lot, are really not going to be interested at all in investing another $5,000 or $6,000 to provide services.

I think there should be some effort made to get at some kind of consensus before the conditions are imposed. I would like to see, Mr. Chairman, some delineation in the statute of what the conditions are going to be. Are the conditions going to be able to be the most elaborate subdivision kind of conditions that are imposed in some municipality? Is it going to include five per cent? Is it going to include a sophisticated sewage disposal system or is it just going to be the bare bones? Is it going to insist that storm sewers, buried 6 ft deep and 6 ft wide, are in the ground or can we carry away storm sewage water by sodded ditches?

I think there has to be some kind of delineation as to the conditions and I don't think it is fair that conditions can be arbitrarily imposed on a whole group of people unless the majority of them know about them and give some kind of consent.

Finally, Mr. Chairman, one thing that concerns me very much is the role of the developer in this. I just wonder if the developer who has cutely, even though legally, caused this difficulty, should be allowed to get out from under. He is really the person who has taken an advantage of a weakness in the law. If there are going to be conditions imposed, and if there is going to be expenditure of money made, surely there should be some power—and I think we have the power to say it in a statute—to assess that developer for the trouble that he has caused. He has taken advantage of a number of situations, albeit the courts might have said he has acted legally; and I don't think he should be allowed to escape. I think we should turn some attention to that developer.

With those things in mind, I have written very quickly—and very inexpertly, I'll be the first to admit—an amendment to this section, or a series of amendments to it. Frankly, as a lawyer, I shudder at my own draftsmanship on this point, and it only expresses a number of ideas. It isn't anything really we could live by, but if it makes any sense, and I think it does, I would like to see the advisers to the minister take it away and express in appropriate language, with a little more time than I've had available, the principles that I'm putting forward in this.

Mr. Singer moves that section 7 as amended be further amended by adding thereto a subsection (5)(1):

> No such order will be made unless it applies to all lots in the immediate area.

(5)(2) All persons affected by such order shall receive notice and be given an opportunity to appear in the council before the bylaw is passed.

(5)(3) That no such order shall be passed containing as conditions thereof the payment of costs for services, unless the majority of those affected agree to such a levy.

(5)(4) That the developer may, in any such order, be assessed for an appropriate share of the costs of any services that may be required.

Mr. Singer: As I say, I apologize for the draftsmanship. It's quick and it's rough, but I think the ideas expressed in it have some real significance. And I think that before we make law section 7 as amended, we should give very serious consideration, Mr. Chairman, to the addition of the principles that I have enunciated in this amendment.

Mr. Lawlor: Mr. Chairman.

Mr. Chairman: Just before I put the amendment—did you want to speak to the amendment?

The hon. member for Lakeshore.

Mr. Lawlor: Thank you, Mr. Chairman. Some parts of the amendment, as I was able to jot them down, I think, would certainly win our assent. I would perhaps have some misgiving about subsection (5)(1), the first of the amendments introduced by the hon. member for Downsview. It is perhaps too categorical.

Mr. Chairman: Would the hon. member for Lakeshore just excuse me for a minute? Maybe before we put the hon. member for Downsview's amendment to the amendment we had better see if the amendment as proposed by Mr. Irvine carries.

I will ask at this time all those in favour of amending section 7—

Hon. Mr. Bales: Mr. Chairman, I wonder before you put that, could we not have the views of the hon. member for Lakeshore? I would like to receive a copy of the amendments.

Mr. Chairman: Yes, the member for Lakeshore wasn't dealing with section 7 as amended by Mr. Irvine. He was dealing with section 7 as further amended by the hon. member for Downsview.

Hon. Mr. Bales: I believe he was commenting on the amendment.

Mr. Lawlor: Well, I was going to comment pretty broadly. I haven't spoken on this section at all.

Mr. Chairman: Okay, go ahead.

Mr. Singer: On a point of order, Mr. Chairman. The Attorney General has asked for a copy of that. I wonder if you could send that out, have a couple of copies made and give one to the hon. member for Lakeshore and one to the Attorney General?

Mr. Lawlor: I'll keep on talking until it arrives.

Mr. Singer: And one for us, too.

Mr. J. R. Breithaupt (Kitchener): Take your time.

Mr. Lawlor: First of all, about the section itself. For some peculiar reason I don't have quite the misgivings that the hon. member for Downsview has about the section as a whole, prior to the amendment. As was indicated last night on second reading, it seems to me that it's a question not of law so far as the councils are concerned, but a question of expediency.

It seems to me that it's not up to them, through legal expertise or by rule of cut, of pulling cards out of your sleeve to decide whether or not the titles on this particular subdivision about which they are worried are good, valid, invalid, meet the particular criteria, fall within certain categories or not. I think that that reference to the minister would pretty well determine that issue.

What they are concerned about is financial expenditure and the way in which they'd be caught in the net, and what it's going to cost them to run the roads in, to run the sewers in, to habilitate the area sufficient that people can live in it, if they are going to grant building permits at all.

I think the legislation is designed carte blanche to say within your discretion, if you think you can go ahead on these other facilities, and we already know in advance that this subdivision has been under a cloud, a cloud on title as thick as your thumb in that particular, but we have lifted this cloud in your discretion. You don't have to spend hours mulling over legal texts and ancient feudal law in order to determine whether it be passed or not. You can say it did, and that's the end of the matter, and get on with the business of recognizing your particular job of building the municipality and getting a lot of people off hooks—oh, and by the way, a lot of lawyers off hooks, too.

We should've mentioned that earlier, because in one place I notice that there are 300 to 500 lawyers pass these titles from time to time, in this very place, and I suspect that some of them have passed many, many times. And once they have done it, once they get into a position of self-satisfaction and security, they will pass them by a shrug of the shoulder. And so I supose there would be bankruptcy gleaming on the horizon in certain instances, having somewhat cavalierly passed through the law here.

In any event, the second thing I wondered about, having that Conlin decision—I think that was the name of it—what else can a lawyer do but follow the decision of the Supreme Court judge even if the higher court should consider this to be a rather thin reed upon which to lean, so thin indeed that they said the reed broke in their hands? You place dependency in law upon whatever law you happen to have at your disposal and that was the sole existing decision upon which to rely. To hold anyone in question or up to ransom simply because he has subscribed to an opinion of a judge, it having been laid down there be no concrete decision, would seem to me to be a fairly rigid way of approaching the issue.

Mr. Chairman, I want your direction. I have pretty well finished what I want to say on the section in general prior to the moving of the ministerial amendment. Do we handle that now and go on to the member for Downsview's further amendment?

Mr. Chairman: Yes, I think we should. I'll see whether Mr. Irvine's amendment carries or not.

Mr. Bullbrook: Well, may I? The point I have been making was with respect to the assistant's amendment, and I just would like him, if he would, to have the opportunity to respond to me in connection with subsection (3). I think he can—

Mr. Singer: I think the Attorney General is talking on it.

Mr. Bullbrook: Oh, I am sorry. Well, you were going to put the motion; you were going to put Mr. Irvine's amendment.

Mr. Chairman: Yes.

Mrs. Campbell: But the Attorney General is—

Mr. Bullbrook: Oh, he was going to talk.

Mr. Chairman: Do you want to speak on it before we put this motion?

Hon. Mr. Bales: Well, the amendment is—

Mr. Chairman: I am talking about Mr. Irvine's amendment.

Hon. Mr. Bales: Yes. The amendment was drafted to cover two situations: First of all, where there are unorganized townships involved, there wouldn't be a council to deal with those matters, hence the minister will stand in their stead. The second one was to leave open the route of normal application to the land division committee and appeal to the Ontario Municipal Board if necessary; that right is not taken away.

There might be a question when we pass section 29(a) 1. That section, by itself, might well take away any right of application for severance under the land division committee arrangement. I want to make it very clear that that is not taken away, hence subsection (4) has been included.

The hon. member raised a question, and perhaps he could refresh my memory for one minute?

Mr. Bullbrook: Mr. Chairman, I was worried about the almost arbitrary powers given to the municipal councils. I don't defame them by saying this; it is really what my colleague supported, in essence, on subsection (4). We are worried about the almost total powers given to them. I am not suggesting they are going to use them but we enshrine in the statute, in effect, that they can impose conditions; one can totally accept conditions that are reasonably related, for example, to the impact on future services, and the fact that they haven't participated in dedication of land for public purposes.

Frankly, I have been involved, as many others have, in situations where the municipality, without any relation to what the reasonable burden of a subdivision is, has placed or imposed charges and other obligations upon people which really have no relation to any cause or reason. That is what I was concerned about in that subsection.

Hon. Mr. Bales: Mr. Chairman, the conditions imposed will have to relate to the individual application. In many instances, I would think, there would be no conditions attached, particularly if you are rectifying a title or when a person may have had title and had it certified but, by reason of a change in the decision on other cases, it may be now called into question.

I can see there will be other types of situations where the application will involve a large number of lots. In those instances, there

should be substantial charges levied because it is going to be a substantial financial burden on the whole municipality.

I think we have to trust the local council and its good sense in that. The hon. member may have had some unhappy experiences in those matters; I've had concern too with applications before council. Sometimes I felt the charges the members wanted to levy were unreasonable. They have to be related to the kind of conditions that a council can impose; they can't be impossible of fulfilment or, as I said last night, an application could be made to the court to rule them out.

On the other hand—and we have done this very carefully—the wording of the section at the very beginning is "the minister may"; hence there is discretion. If conditions imposed are such that the minister feels they are entirely too onerous for that particular property, he may refer it back to the municipality. He may make it clear that he will not approve this particular portion of the bylaw if the conditions are too onerous. As with the Minister of Municipal Affairs from time to time, I had to refer matters back to a municipality and tell them no.

Mr. Bullbrook: On one point, if I may. You recognize, of course, that a condition precedent to the exercise of the discretion of the minister is the enactment of the bylaw. The municipality can abort that by never passing the bylaw at all.

Hon. Mr. Bales: I recognize that and there may be some instances where they would do it but I would doubt it, except in the large type of subdivisions or areas where a developer or a person is really trying to avoid the normal subdivision process. In those instances, I think charges should be levied because if they are not levied, it is going to be a charge on the whole municipality. The areas where these kinds of situations will be most difficult are in the smaller municipalities which do not have the financial support to look after this kind of situation.

For example, I know of one municipality where, from the information I have, there would be more lots created than there are people living in that municipality today. It simply could not afford to let that development proceed. If it did, the whole area would be bankrupt.

So I think under those circumstances there is protection. I recognize some councils might impose unfair and arbitrary conditions, but on the other hand I think that we will be issuing very careful instructions to them through the Treasury ministry. There will be meetings with those areas where we think there are the greatest number of situations that may develop. The bill will then be proclaimed so that there will be ample time for discussion before they are faced with these kinds of situations.

I haven't had an opportunity as yet to look at it—I just got the photostat.

Mr. Bullbrook: I don't want to belabour the point unduly, but I just want to close my thoughts by saying this: I'm really concerned where the municipality has the arbitrary right to impose conditions on a person making an application, which conditions are unreasonable in the circumstances, and say in effect, "We won't pass the bylaw." Of course, if they don't pass the bylaw the minister doesn't come in.

I think my colleague from Downsview, on subsection (4), put the point in a reciprocal fashion. You see, if it said in that subsection, with respect to the imposition of the conditions, "subject to the approval of the minister," for example—if it said that, I'd be content. I just don't want people subjected to a unilateral, arbitrary decision without some avenue of approach elsewhere.

Hon. Mr. Bales: Yes, I don't want to labour this, but that is one of the reasons—in taking into account that kind of situation—we've added the subsection (4) to make sure that the normal method of severance is available.

Mr. Lawlor: Just one moment, to lend some support to the contention of the member for Sarnia. The Law Reform Commission document itself gives them great bolstering too, and in some passages in that report it does come in heavily on the type of condition, the exigencies and what is extorted by way of informal bargaining by the municipality without an iota of legal sanction to that particular type of thing; and it's fairly clear in one's own experience. This is so true.

So the point is well taken that they should be very much aware—well, not so much again by the Attorney General's ministry, but by the minister himself—of what communities do to discourage deliberately development in their area, particularly residential development, and the onerous conditions imposed in this.

Of course, the second thing that they point out, and which this legislation up to a point rectifies, is the business that a subsequent assignee of that title is not bound by the conditions that have been thus informally,

or even by agreement, reached. It is sought in this legislation for the first time to give powers of registration and to therefore bind subsequent holders of the title on the property. That's a move in the right direction.

But if the conditions *ab initio* are so heavy and so bad that it really works a hardship on the developer, or upon those seeking to bring new property, a single person seeking to build a home for himself, in those circumstances—this has never been adequately scouted by any particular level of government, so far as I know, and continues as a form of minor inequity to this day.

Mr. Chairman: All those in favour of Mr. Irvine's amendment?

Motion agreed to.

Mr. Chairman: Now we have an amendment to the same section by the member for Downsview. Would you like to read your amendment again?

Mr. Singer: I have read it once but I can read it again. I move that the section be further amended by adding thereto section 5, which will read:

1. No such order shall be made unless it applies to all the lots in the immediate area.

2. All persons affected by it shall receive notice and an opportunity to appear before the council before such bylaw is passed.

3. No such order shall be passed containing as conditions thereof the payment of costs [Probably a better word would be "money," but the idea is there] for services unless the majority of those affected agree to such levy.

4. The developer may, in any such order, be assessed for an appropriate share of the cost of such services as may be required.

Mr. Lawlor: Mr. Chairman, I wish to comment on that. As I was indicating earlier; I'll leave aside the first amendment, subsection (1) of 5 applying to lots. The second one would win complete assent, of course. It is the rule of law—well, one of the salient features of that rule-of-law type of amendment. It is the member for Downsview's particular hobby horse on which he rocks from hour to hour, the kind of dulcet cooling of the brain back and forth.

This is his saying that we are under a rule of law and not of men, which is simply a formal rule in British law, which is the rule of law, that you mustn't be the judge in your own case, and a hundred other things; that everyone is entitled to a fair notice and certain procedural exigencies are recognized. It has nothing substantive to it. In other words, it is an empty shell but full of good things.

Mrs. Campbell: Now that is an accomplishment.

Mr. C. E. McIlveen (Oshawa): By that, do you mean the member for Downsview?

Mr. Lawlor: The member for Oshawa asked me if I meant the member for Downsview. I said no. On subsection (3), again I would agree with that. If there are going to be costs levied here then they must be subscribed to by the majority.

I think they would respond, having got the magnificent alleviations that this legislation gives them, and which for the first time gives them title to their land and frees them from a burden and from a blanketing that has deprived them. We have all heard enough complaints about it over the years. So I would think, now the weight has been lifted, they would respond with joy and be prepared to pay a certain sum of money, which they would have to do in any eventuality in order to get their land into operation and get that building done.

The last one is particularly good. Crude as it may be and off the cuff, let's put it this way: The member's heart, if not his head, is in the right place. The drafting is poor but the intention is admirable, if we can rope in these developers in one way or another. They have been the initiators of the difficulty and have forwarded it to their own enormous advantage. They are emerging out of this whole process by way of legislation, you having validated their titles when they didn't have valid titles to begin with. They are now, as they would put it no doubt, vindicated on the one side, while on the other side the beggars get off scot-free.

This is one of the things that puts a small blemish on the nose of the free enterprise system of which you are so proud. You wouldn't want to subsidize that particular form of abuse, the wart on Cleopatra's nose so to speak. I think you would send her to a surgeon and have it removed. It might cost a buck, but why not? If Cleopatra insists on growing the wart, make her pay a bit toward the removal thereof, so that her beauty may shine forth, resplendent in the early evening, and free enterprise itself can be vindicated.

Mr. D. C. MacDonald (York South): These are cosmetic comments.

Mr. Lawlor: These are cosmetic comments, merely aesthetic remarks as to just what the beauty of your legislation could be if only you would put a little clothes on it.

All right. As to 1, though, I think that is too hard, too categorical. "No order shall be made, that is, with respect to imposing conditions, unless it applies to all the lots that may be needed." I would think that a majority might be sufficient in that context. There will be individuals who, if there is going to be any extra cost at all and if their agreement threw those costs basically onto the vendor, and the vendor has either disappeared, gone bankrupt or refuses to do it, will not then because of the strict legalities of the contract have the good sense to abandon the same and go forward on their own hook; but relying upon that, will do nothing and possibly even resort to the courts over long periods of years of litigation and achieve nothing at the end of the road either.

There are such purblind and twisted souls about, and that is what the legal profession rather grows fat on. These people will be recalcitrant and refuse, and all the rest will be held up and not be able to get on with the acceptance even of reasonable conditions because of that particular clause.

With that small reservation, I would find that a re-embodiment of these terms by the government prior to the final passage of this legislation would be most welcome.

Mr. Chairman: Mr. Irvine or Mr. Bales; either one.

Mr. Singer: Mr. Chairman, before the Attorney General gets into this, it just occurred to me, as I was listening to the dulcet tones of the member for Lakeshore—

Mr. Breithaupt: In the early evening.

Mr. Singer: —what would happen if a by-law is passed and an order is given applying to five or six lots and it doesn't apply to another seven lots in the immediate vicinity? So the titles to lots A, B, and C are valid titles, but the title to lot D isn't a valid title; and the person who entered into the offer to purchase for that lot says, "I'm really not interested in anything you have to say, I'm just going to sit here." So there is an individual lot that is not severed from anything, except maybe the lots on either side of it are severed from the whole. Can you levy taxes on that?

What I'm trying to say is, unless you deal with an area, if you have individual lots spotted around this kind of a development, on which nobody has done anything, I wonder about what's going to happen to the municipality in the orderly running of its business; and I wonder what's going to happen to the people on either side in regard to the completion of their building, the supplying of services and so on.

Hon. Mr. Bales: Mr. Chairman, I've looked at the amendments and I recognize the intention behind them. I'm not dealing with the exact wording, because I don't think you want me to do that. It's one of the intriguing things about the legislation, and also of the legal questions involved—and I don't want to become tied down in technicalities—but many titles are not under a cloud or are satisfactory. There are a number which are, but others may be close at hand and yet still have a perfectly valid title by reason of the way severance was done. Sometimes if all of the other land has been conveyed, then the last parcel, of course, would be valid.

I think if we are going to put so many conditions upon the council dealing with the matter, then we are going to frustrate the whole purpose, we are going to make it very difficult for those individuals who need to clear up their titles to have the matter rectified.

I think you will find the situations will be in two groups: Individual lots that have to be cleared up; and larger areas of a number of lots, almost like a small subdivision. If a developer has sold off all of the lots, you can't go against the developer if he has no further interest in these lands. I wouldn't be against going against the developer, but frankly you can't do it.

Mr. Singer: Why?

Hon. Mr. Bales: There is no way to attach a charge to his lands. He hasn't any.

Mr. Singer: We can legislate anything we want within our competence. If you say we should go after it, we can.

Hon. Mr. Bales: That's all right, but the developer may no longer exist. If, perchance, the developer does have unsold lots then he is caught completely and he should be.

Hon. G. A. Kerr (Provincial Secretary for Justice): That would be a witch hunt!

Hon. Mr. Bales: But we are really dealing with the individual cases and the group situation.

You're going to find in other situations, if you try to group too many people into an individual application, there are always going to be some people who will refuse to pay, who will not agree to the imposition of those conditions because they say: "My title is not involved. My lawyer has certified it. I'm satisfied."

In doing so we are going to frustrate assistance to innocent persons or make it impossible for them to clear up their particular isolated problem.

I think it really boils down to that. The member for Downsview, the member for Lakeshore and others have had lots of experience before councils. You can see the variety of views that are presented there. When you tell people they are going to have to pay money to clear up a title which they may not feel is deficient at all, they are going to have strong objections to it, and you can understand that.

I think the sections as we have drafted them now, while perhaps not perfect, we recognize there may be problems, will meet the situation. We want to see that those municipalities receive instruction as to how to deal with these cases.

I think while the intention behind the sections as drafted by the member for Downsview are good and I can support the general intent, at this time I don't want to so encumber the legislation that the system will not work. And I think we might well find ourselves in that position.

So for the present time I would not be in favour of those types of conditions.

Mr. Singer: Mr. Chairman, if I may comment on the remarks of the Attorney General. One of the major points I tried to make yesterday was that we are being rushed with inordinate haste into decisions on this matter. I think the Attorney General in his remarks has admitted that what is before us is not the final answer, there may be many other additional answers.

In addition, Mr. Chairman, I note in section 16 of the bill that section 7, the one we are now talking about, does not come into force until it is proclaimed. I would understand the reason for that to be that the Attorney General wants further time to consider the mechanics of this. So I come back to saying, what really is the urgency?

We've had, I think, a reasonable discussion of many of the ideas that puzzle a number of us. But there are a lot of people who we should be able to hear from. I would like to hear from the councillors or the heads of the municipalities where these situations exist. I would like to hear them in committee, to have them come in and say what their concerns might be.

There was the comment of the mayor of East Gwillimbury that was reported in the paper. I'm not sure really what she did say to the reporter or what questions led up to it, but I would like to see her before a committee and hear exactly what are the concerns of her and her fellow councillors.

I would also like to hear from members of the legal profession who are concerned with planning laws.

If there is no urgency—and the Attorney General has been quite frank with us; he says, "This isn't perfect and there are ideas that may well improve it"—why not delay this? Why not delay the final passage of this section 7 through the House until sometime next spring? After all, the checkerboarding has been with us for quite a few years, and the immediate urgency to put it through in a few days before we recess really escapes me.

The urgency certainly isn't expressed in this legislation, because this section 7 will not become law on the day this bill receives royal assent; it will become law on a day when it has been proclaimed, which is an indefinite day in the future.

I think what we have already put on the which they would have to do in any many of us have is going to serve a most useful purpose; but let us, the members of the opposition, have an opportunity to meet with the heads of 14 municipalities, as did the member for Grenville-Dundas—

Mr. Haggerty: He didn't invite us.

Mr. Singer: He didn't invite us, no.

Let us have an opportunity to meet with those lawyers and other people who do have some very definite views on this matter. What we have done in the past two days in connection with the other sections and this section 7, I think, will be very useful. But let's not rush something through into the statutes. Once it is there, Mr. Chairman, it is all very well to say it is going to be reviewed; but once a statute has been enacted, it is very difficult to get it changed.

I have heard assurances since the day I first came in here; such as: "Well, let's try this for a while. If it doesn't work, we will change the statute." But once it's written and engraved in the tablets of stone that form a part of the latest statutes of the Province of

Ontario, it's very hard to bring about any meaningful amendments. What is the rush? Let's delay at least section 7 for a further day. There is no urgency, and this discussion I think has added a useful amount of progress to this very serious problem.

Hon. Mr. Bales: Mr. Chairman, I don't want to delay, but I think there is urgency to proceed and to help a number of individuals throughout this province. The point in invoking it by proclamation is so instructions can be given to the municipalities, and that would be done directly, in the interim between now and the time the next session starts, and we can get on with this particular matter. I think it's high time that this matter was dealt with, and I have had a great many letters from individuals—largely from individuals—and this legislation can help them a great deal.

As for the local councils, I have got a good deal of faith in them that they will not impose conditions that are unfair or improper, and I think we can deal with it in that way. I urge this passage at this time.

Mr. Chairman: Does any other member wish to speak on Mr. Singer's amendment?

Mr. R. D. Kennedy (Peel South): Took three years to get in a hurry, Vern.

Mr. Chairman: If not, all those in favour of Mr. Singer's amendment please say "aye."

All those opposed please say "nay."

In my opinion, the "nays" have it.

Mr. Singer: Stack it.

Mr. Kennedy: You've got to stand up to stack it.

Mr. Chairman: Yes, we couldn't stack it until the member stood in his place.

On section 8, the hon. member for Ottawa Centre.

On section 8:

Mr. Cassidy: It is clear that this is and was an arbitrary section; the amendments that are here have improved it to some extent because they do two things. One is that they permit the zoning bylaw to stand insofar as it's not amended by the minister, and the other is that they permit hearings before the Municipal Board for amendments rather than a simple decision by the bureaucracy behind the Minister of Housing.

I am sorry, incidentally, Mr. Chairman, that the Minister of Housing isn't here, because he will be charged with so much of the administration of this particular bill.

I would like to ask the parliamentary assistant, though, since he is speaking on behalf of the people who make planning policy, whether we could have a commitment that in future there will be a regular report to the Legislature, say, every two months or every six months, of orders made by the minister under section 32, I guess it is, and with a brief outline of the details of the orders as laid down by the minister. It seems to me that this is particularly important, given the fact that a second set of powers now has been acquired by the government, in addition to the Ontario Planning and Development Act.

Really my question is in two parts: Could we have a commitment that there will be regular reporting to this Legislature, through the form of tabling something with the Speaker, of ministerial orders under section 32? Could we also have a similar regular report of ministerial decisions or orders made under the Ontario Planning and Development Act?

Mr. Irvine: Mr. Chairman, firstly, I have no reason to say that we wouldn't table such a report, but in any event I would think this information would be at hand for the hon. member at any time. I think all members should be aware of what exists in regard to ministerial orders being placed on a particular municipality.

If there is something to be gained by tabling a report such as this every three months or six months, certainly we will give it consideration and bring it in at a later date. But I just don't see the advantage of making a commitment at this particular time. I think it is public knowledge if you put a ministerial order on a municipality. Tabling a report in the House doesn't seem to be of any advantage to the members; but let me consider it and if it is, we would be happy to comply with the request.

Mr. Cassidy: Okay, I appreciate that the assistant doesn't want to make a commitment at this time. I also appreciate that the information is available in the sense that, as I understand it—does it have to be made by the Lieutenant Governor in Council or is it just the minister who makes the order?

Mr. Irvine: The orders are made by the minister, and they are gazetted, which I think should be public enough, would it not?

Mr. Cassidy: Frankly no. If you have ever read through the Ontario Gazette—and I did for a while when I came into this House—there is so much information in there that it's very difficult to seize on any one thing. The Ontario Gazette comes out every week. It is mixed in with a whole lot of orders made by the Highway Transport Board, and other boards like that. In addition, ministerial orders that are reported there were reported in basically legal language and it is therefore difficult for somebody who is not familiar with that particular municipality to know the nature of the order being laid down by the minister.

Now I appreciate it is there; but if it were here, if you could see the pattern of ministerial orders from time to time, I think that they would be an effective public demonstration of the way the powers are being used by the minister. Because I think that the assistant will agree that it is effectively an arbitrary section.

Now we know the reasons and we get press releases sometimes about ministerial orders, but press releases are not sufficiently official and they sit in my files; if they get to me, they may not get to me. They may not get to the hon. member for Wentworth or some other member who may be interested. There ought to be in the Votes and Proceedings, or some other place, an official record which we could see in connection with these orders.

The second point I make is this: We appreciate the addition of the new subsections, (6a) and (6b) and (6c) of section 32, which allow for hearings to the Municipal Board. However, as it happened, the drafting does not provide the same protections in the case of an amendment to a ministerial order as the Act provides in the case of either an application for a zoning amendment or an official plan amendment.

In the case of a zoning amendment, there are very clear requirements as to notice. In the case of an official plan amendment there is requirement to hold public hearings in the area which is being affected, although the Act is less clear than it ought to be in that particular case. But, nevertheless, there is an implication of notice with the official plan amendment. There is a very clear requirement which is laid down, I think by orders in council, as far as zoning amendments are concerned.

Therefore, I'd ask the parliamentary assistant whether he would accept an amendment to this section, with wording drawn from similar wording under the zoning part of the Planning Act. I'll just read that part of it first. Subsection 11 of section 35 states:

> The council shall, in such manner and to such persons as the Municipal Board may direct, give notice of its application to the Municipal Board for approval of any bylaw passed under this section.

Now, you have a hearing process coming in here, and what I'm suggesting is that a regulation should also be passed to require that notice be given to the appropriate parties in the case where an amendment is being requested from a ministerial order. The amendment reads as follows:

Moved that section 8 of Bill 264 be amended by renumbering clauses (6b) and (6c) as (6c) and (6d), and by inserting a new clause (6b) as follows:

> The minister shall, in such manner and to such persons as the Municipal Board may direct, give notice of the application on the hearing before the Municipal Board; and the Municipal Board shall hear any objections that any person may desire to bring to the attention of the Municipal Board.

The last half of that is again taking wording, I think it is from subsection 12 of section 35 of the Planning Act.

Could one of those copies go to the minister please, and one to the Liberal Party?

Mr. Chairman: Are you moving the amendment or were you just asking his opinion on it?

Mr. Cassidy: I am moving the amendment. I am moving the amendment right now.

Mr. Chairman: Oh, I understood you to say that you were just going to ask his opinion on it.

Mr. Cassidy: Okay. Let me get his opinion on it. Maybe he would like to move it rather than myself.

Mr. Chairman: I just wanted to be clear. Mr. Cassidy has moved that section eight of Bill 264 be amended.

Mr. Cassidy: I'm sorry, but we were going to get a comment from the minister before making the actual motion.

Mr. Chairman: You are not actually moving it then.

Mr. Cassidy: I will probably move it in a minute.

Mr. Chairman: All right.

Mr. Cassidy: But the assistant may want to consult with his people or may want to comment on the amendment as drafted.

Mr. Chairman: That's the way I thought you were starting out to do it in the first place.

Mr. Irvine: Mr. Chairman, I want to take a minute to read the amendment as put forth by the hon. member for Ottawa Centre.

I wonder if we don't have enough leeway in the Act that allows the Municipal Board to proceed in whatever fashion they feel appropriate for the hearing. I really don't see the purpose of this amendment. I am a bit puzzled by it. How could the OMB proceed with the hearing unless they sent a notice to those who are affected, as a matter of course, for the hearing? I really believe it is there and I don't think the amendment adds in the least to the legislation that we have here presently before us. Therefore I must say, Mr. Chairman, that the amendment is not necessary.

Mr. Cassidy: Let me proceed in as calm and as rational style as I can, because I think this is a serious proposal. As the assistant appreciates, some amendments are proposed for political reasons We have a difference in point of view from the government, and we want to make the point; so we proposed the amendment. I've got one or two of those coming later.

In this particular case, the point I'm trying to make is that the ministerial orders affect local zoning bylaws, or in some cases they are brought down where there is no local zoning. At any rate, a ministerial order is equivalent to a local zoning ordinance or local zoning bylaw. The assistant agrees with that. When a zoning amendment is being sought from a local council after the council has passed the bylaw, then there are requirements for notice and so on, which must be fulfilled before a hearing may be held before the Municipal Board.

It happens that our law is inadequate in the sense it doesn't require that notice go out before the council hears the application. At any rate, that's a separate matter. The way the law stands right now, there must be notice. According to regulations passed by the Municipal Board, the council must give notice of the application for approval of any bylaw to a number of interested parties.

I think the assistant could argue that surely the Municipal Board would do the same thing in this particular instance. However, I draw to his attention that the procedure laid out in this new section 6 is rather different to the procedure that prevails under restricted area bylaws or zoning bylaws. In the case of zoning bylaws, the Municipal Board has a power of decision. It can either approve or disapprove a decision that has been made by a local council, or can send it back, as happens in some cases.

In this case, however, the Municipal Board is the first resort of an applicant seeking an amendment, and it is being used as a hearing tribunal, which hears the merits and demerits of the case and then makes a recommendation to the minister. In other words, this is an innovation in Ontario planning law, to have the Municipal Board used in this particular way on an application which has not passed through another level of government beforehand. It is different, in other words, to where there is an objection, say to an official plan, and where the minister is then bound to refer the objection to the Municipal Board and the Municipal Board then in turn makes a recomendation to the minister. In that case, the official plan has already been passed by both the planning board and by the local council before it has gone up to the minister and then on to the board.

What I'm saying is, since you're starting off with a new procedure of using the Municipal Board as a hearing tribunal in the first instance, the procedural rules that apply ought to be equivalent to those on a zoning application, with which this is most closely paralleled, and they should be spelled out in the legislation. The way the law stands right now, as literally taken, the Municipal Board is bound to hold a hearing as to whether the order should be amended. Presumably the applicant and the minister are informed of the hearing. One would assume that the council might be informed of it as well. Apart from the fact that the applicant will know about it, all of these things are assumptions.

I just simply want to tie it down so that there will be regulations, and when they make regulations as to whom the notice will go, then pretty clearly they will ensure the council is informed, the ministry is informed and people within a 400-ft radius, or some wider radius in rural areas, would also be informed.

This is all that this amendment is seeking to tie down. I do commend it to the parliamentary assistant and suggest that he reconsider what he has just said. I don't think this

is a controversial amendment. I think, too, if I can say this to the assistant, at times when we get rather political over on this side we have been saying that the Municipal Board has gone over to the developer's side. That may be true in certain instances, although I am sure it's a good faith kind of thing on the part of the members of the Municipal Board, who seem to act in ways that a number of people in the communities affected object to. At any rate, some of the recent decisions have had the effect of eroding or undermining the confidence the people have had—the very great confidence the people have had—in the Municipal Board. That is not a desirable thing.

I suspect that the assistant is right when he says that the Municipal Board would do this anyway but I think it's incumbent on this Legislature to ensure that what ought to be done is done in a general way.

We haven't said to whom notice should be given. The amendment states that the Municipal Board will tell the minister to whom the notice ought to be sent out; in other words, it will set the requirements. All the same, the fact it was mentioned in the Act means it will be done and we're sure it will be done, and there will be no room for anybody to play games.

Mr. Irvine: Mr. Chairman, I appreciate what the member has said; I can understand what the member has said. Again, I would like to say to the member for Ottawa Centre that this already exists in OMB hearings throughout the province, and will continue to exist as a matter of course. I say if you read subsection 6(b) you'll notice that a copy of the report of the findings and recommendations of the board will be sent to each person who appeared at the hearing or who had representation made on their behalf.

It is not that I am against the amendment in the least, but I don't think it's necessary. We already have this applying to hearings throughout the province. I would like the member to understand the point, that this is in effect at the present time.

Mr. Cassidy: Mr. Chairman, suppose they held a party and nobody came? That's the kind of situation you have. Of course the proposed law spells out that the Municipal Board's recommendation will be sent to each person who appeared at the hearing. The point is, though, that it is not guaranteed in the law that the people who ought to be informed will, in fact, be informed.

If the assistant agrees it's appropriate but simply argues that it's unnecessary, would he accept the judgement we are putting forward from this side of the House, that we do feel it is necessary? If the minister feels it's redundant, all he has done is spend a few pennies for extra paper to print an extra clause to an Act and no more. Surely on that basis you can accept it?

Mr. Irvine: Mr. Chairman, let's have an understanding of goodwill this morning. If you feel so strongly that this amendment is necessary and I can't get across to you that I really believe it's part of the OMB's function at the present time, I am willing to accept the amendment.

Mr. Cassidy: Thank you very much.

Mr. J. A. Taylor (Prince Edward-Lennox): Mr. Chairman.

Mr. Chairman: Yes?

Mr. Taylor: I would like the member for Ottawa Centre, if he would, to restate his proposed amendment, because as I understand it he's only talking in terms of notification to those interested parties in terms of the application. Whether or not the minister refers the proposed amendment to the Ontario Municipal Board is up to the minister. It's not mandatory that it go to the Ontario Municipal Board. Of course, after the hearing, it's not mandatory that the minister accept the recommendations of the Ontario Municipal Board.

Now, insofar as the procedural matters are concerned, which I understand the member for Ottawa Centre is speaking of, those matters are dealt with by the Ontario Municipal Board pursuant to the Ontario Municipal Board Act and the powers that are granted to the board under that Act. It does have rules of procedure, which apply not only to applications of this nature but to every other application which is before the Municipal Board.

If you are going to tinker with this particular area, then you may be in a position where you are going to have to deal with all of the legislation that affects applications for the Municipal Board and legislate in that legislation the rules that apply to those particular hearings, which I would suggest is not realistic.

Mr. Chairman: Any further comments?

Mr. Cassidy: On that point, I will read the amendment and move it, Mr. Chairman. May I commend the parliamentary assistant as well, because he has shown that in fact he does have some authority in this par-

ticular Act to make amendments on two or three occasions, and I appreciate that.

Mr. Cassidy moves that section 8 of Bill 264 be amended by renumbering clauses (6b) and (6c) as (6c) and (6d), and by inserting a new clause 6b) as follows:

> The minister shall, in such manner and to such persons as the Municipal Board may direct, give notice of the application on the hearing before the Municipal Board, and the Municipal Board shall hear any objections that any person may desire to bring to the attention of the Municipal Board.

Mr. Cassidy: Mr. Chairman, in response to the member for Prince Edward-Lennox, he makes a valid point in pointing out that the minister is not bound to refer these matters to the Municipal Board. In fact I had not caught it, but I believe the parliamentary assistant's answer on this would be that if somebody comes up with an application, say, to put in a subdivision of 200 houses in an area where a ministerial freeze or order is in force, and where clearly that is contrary to the policy which led the minister to put the order down in the first place, then there is no particular point in having the hearing.

On the other hand, if it is sort of a moot point, or if it is something that happens to be covered by the ministerial order, then it is just a matter of giving a hearing; the normal kind of hearing and process before an approval will probably be granted. Is that the kind of distinction that led to the discretionary referral to the Municipal Board?

Mr. Irvine: Yes, Mr. Chairman.

Mr. Cassidy: In that case, I am doing the assistant's work for him, I guess, in explaining that to the member for Prince Edward-Lennox. I hope we can accept this section, Mr. Chairman.

Mr. Taylor: Thank you, I don't think I need any explanation, Mr. Chairman, with respect to the member for Ottawa Centre.

But in reading the section, when it is permissible that the matter be referred to the Ontario Municipal Board, in other words when the discretion rests with the minister and when the decision after the hearing again rests with the minister, then in effect the minister is judge and jury. I'm not criticizing that, but I think that it should be made clear that the procedural matters are minimal when one regards the substance of the section.

Mr. Kennedy: Mr. Chairman, could we have that section read once again? It is not clear. If an individual, say, makes a trivial objection, if I hear the amendment correctly it says "the OMB shall hear." Is it not possible for the OMB to respond by correspondence and deal with the matter, rather than setting up a physical hearing; or am I mishearing the amendment as proposed by the member for Ottawa Centre?

Mr Irvine: Mr Chairman, I would like to to clarify it. In the first instance, the minister is the one who directs whether or not there will be a hearing. The minister will determine, certainly by the objections or by the nature of the application, whether or not the OMB will deal with this particular subject; so that trivial or minor objections would not go to a hearing. They would be dealt with directly by the minister.

Mr. Kennedy: The minister isn't obligated to settle it.

Mr. Irvine: No.

Mr. Chairman: Does the hon. member have any further comments about this?

Mr. Cassidy: I think too that the point the assistant makes is that once the matter is referred to the Municipal Board, the Municipal Board is bound to hold a hearing; if the process of notice at that point brings up one or two trivial objections, the Municipal Board can deal with those in its normal way; but presumably there were substantive objections which the minister was aware of in ordering the hearing, or it was felt necessary to have a hearing or some kind of public process on it in the first place.

I just say too, Mr. Chairman, about the whole process of an inquiry tribunal, a hearing tribunal or a hearing officer, which has been common for many years in the British system of planning, that we have certain misgivings about it, but all the same it works over there. It's a more flexible planning procedure, and it's something that I think we have to learn to live with here. That's why I'm not raising objections to the fact that, say, the minister has got the discretion as to whether or not the matter be referred to the Municipal Board. I accept that, but when you do hold a hearing, if it is a substantive matter, then there obviously ought to be the right of the public to be consulted.

Mr. Chairman: Shall the motion carry then?

Motion agreed to.

Mr. Chairman: Any further comments, questions or amendments before section 10?

Mr. Cassidy: On section 10, Mr. Chairman.

Mr. Chairman: The parliamentary assistant has an amendment.

On section 10:

Mr. Irvine moves that paragraph 11 of subsection (1) of section 35a of the Act, as set out in section 10 of the bill, be struck out and the following inserted in lieu thereof:

11. Plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required by the bylaw.

12. Perspective drawings and plans showing building elevations and cross-sections of industrial and commercial buildings and residential buildings containing 25 or more dwelling units.

Mr. Chairman: The member for Downsview.

Mr. Singer: Mr. Chairman, I'm afraid this is going to be a little confusing, because this section 10 has a number of separate segments. The assistant is presently addressing himself to paragraph 11 on page 5, which is considerably down in the section; he's substituting a new paragraph 11 and a new paragraph 12, and in due course I propose to try to convince him that he should further amend the new paragraph 12 by adding some words at the end.

Before we get to that, Mr. Chairman, there are two other portions of this section that come in advance in the text that I'd like to address myself to; that's why I said it's rather confusing. I think the parliamentary assistant is with me, so if we could perhaps deal with the points as I propose to put them in order, in due course we can come down to the bottom of this page 5.

Mr. Chairman: Alternatively, now that we have this amendment before us, we could deal with it and then your point—

Mr. Singer: We would then take it out of context; I'd rather go at it seriatim and start at the top of the section and go down. I think the parliamentary assistant—

Mr. Irvine: Mr. Chairman, I'm in agreement.

Mr. Chairman: That's all right.

Mr. Singer: All right. Let me address myself to my first thought on this. I did mention this in the debate on second reading.

In the fourth line of section 35a(1) the word "redevelopment" appears.

I have expressed my concern about how one is going to define redevelopment. I drew to the attention of the member for Grenville-Dundas that there is a definition in section 22(1)(a) of the Act which defines redevelopment; but that is limited by that section 22 only to that section. So the only definition that I have been able to locate for the word "redevelopment" is one that is confined solely to its use insofar as section 22 is concerned.

What bothers me is we now use the word "redevelopment." We don't use it within the terms of that definition. Again, in a desire to avoid possible future controversy and possible future litigation, it would seem logical to me that redevelopment, as now referred to in this 35a, has the same meaning as it has in section 22(1)(a). If it doesn't, I would suspect it is open to argument that redevelopment could mean the installation of a new roof or the installation of a new porch or comparatively minor changes in existing buildings, and I don't think that is what the ministry intends.

It would seem to me that the four walls of the definition contained in section 22(1)(a) are sufficient for what the ministry has in mind at this time.

Mr. Singer moves that section 10 be amended by adding after the word "redevelopment" in the fourth line in subsection 35a, the words "as defined in section 22(1)(a) of this Act."

Mr. Singer: I think that speaks for itself. The purpose of it is to define our language. If we are going to get into this kind of activity, which doesn't seem unreasonable, then we should know exactly what we are talking about.

Mr. Cassidy: I have another amendment to make after this one, Mr. Chairman. I am very concerned with this particular amendment.

Mr. Chairman: We are discussing this one now.

Mr. Cassidy: I am discussing the member for Downsview's amendment, that's right.

I am very concerned about this particular amendment. I am just looking quickly through the Act to see whether at any point it defines "development." I don't believe it does. Therefore, I assume that the dictionary definition of the word "development" applies in the case of the Planning Act. As I see it, development would probably mean—and I haven't even got a dictionary here—where

you have raw land and you develop it by putting up buildings, an office building or a shopping centre or an apartment house or single family homes or something like that.

The crucial point about the member for Downsview's amendments that it confines the meaning of the word "development" to subdivision clearance development, reconstruction, rehabilitation or anything like that in a redevelopment area. A redevelopment area is "an area within a municipality"—I am reading from the Act now—"the redevelopment of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other reason."

As I know the member for Downsview knows, and as I think the parliamentary assistant is aware, too, this whole section 22 was inserted into the Act at some point—I am not sure what the date of it is—in order to permit federal-provincial-municipal co-operation as part of the federal urban renewal programme.

The parliamentary assistant is nodding his head on that. The words that are used here indicate clearly that most downtown areas in our larger cities of Ontario would not qualify as redevelopment areas because of their age, dilapidation, overcrowding, faulty arrangement or unsuitability of buildings.

There may be other things that one is concerned about in the downtown areas, but it is hard to argue that, say, in the downtown area of Toronto the buildings in general are overaged or dilapidated or perhaps unsuitable. You simply can't make that definition of a redevelopment area stick in the downtown area—most of the area, say, in which Toronto's 45-ft height bylaw currently applies and is being proposed to the Ontario Municipal Board.

What this means in other words, Mr. Chairman, is that the limited site control provisions—they are not development control provisions—the limited site control provisions of section 10, which give to municipalities some limited powers of controlling the siting and the various access to facilities and so on that are connected with the redevelopment of property anywhere around the city, are simply cut to nothing by this particular amendment.

I hate to say this, but this is essentially a Gerhard Moog sort of amendment, or a developer's kind of amendment, because the effect of it is to limit almost to the point of nullity the powers municipalities are intended to have by this particular bylaw or by this particular legislation—and we just can't accept that.

Suppose, for the sake of argument, that in Downsview or in Forest Hill or in a section of Rosedale in the city of Toronto, or in the west end of Ottawa, some other area like that where the buildings are all in good condition but where the zoning permits some redevelopment, the council were to seek to apply these conditions after the passage of this particular amendment. They would find that their hands were tied, that they couldn't do it and the developers would simply laugh at them all the way to the bank; because the council would have no means of enforcing any site plan control on a developer who is building within the existing zoning.

I hope the government will agree that this amendment is completely unacceptable and simply throws this Legislature into the lap of the developers.

Mr. Singer: Could I speak to that, Mr. Chairman? I listened to the comments of the member for Ottawa Centre. Rereading section 22(a); perhaps I've cut too wide a swathe there, but I'm still worried about the definition of redevelopment. Maybe what I have in mind could be achieved by chopping it off and defining within this section, or for the purpose of this section that:

> "Redevelopment" means planning or replanning, design or redesign, resubdivision, clearance, development, reconstruction and rehabilitation or any of them, of land.

I am inclined to agree that the words "redevelopment area" is to confined. But I think if you use words in that kind of context—and stating now the first 3½ lines of 22(a)—I think that would achieve what I have in mind.

What I'm worried about is the word "redevelopment" undefined. I don't think it should deal with minor matters. It should deal with major matters; and major matters are things like the planning or replanning, design or redesign, resubdivision, clearance, development, reconstruction, rehabilitation or any of them, of land. And I'd be prepared to consent to amending my proposed amendment to say just that.

I don't think this section should go forward unless there is some indication of what the word "redevelopment" means for the purpose of this section.

Mr. Cassidy: Mr. Chairman, I apologize to the member for Downsview if that is what he has intended. I may have been a bit quick

on the trigger. And if he is clearly simply wanting to ensure that minor changes in a building are not subject to development control, that makes an awful lot of sense to us.

I just draw to the minister's attention—well, the problem of course with this whole legislation is that you only went half way. You just put your toe in the water. Had you gone into development control properly, then there would have been definitions of "development" and "redevelopment." It would have been made clear what is included and what is excluded.

This is what is done in the City of Winnipeg Act of 1971, passed by the Manitoba Legislature. They have detailed sections on what is deemed to be development and what is deemed not to be development. If you put a temporary hoarding around your place, that probably isn't development. If the city is digging a sewer on your lot, that is not development. If you are—here we are—"carrying out of an operation for the maintenance or improvement of any building or structure for its exterior colour or decoration"; that is specifically excluded by the City of Winnipeg Act from being development or redevelopment. I think this is what the member for Downsview is looking for. Is that correct?

Mr. Singer: I'm looking for a definition to remove potential litigation.

Mr. Cassidy: Well, maybe the assistant can give us some solace on this then.

Mr. Taylor: Mr. Chairman, I'm wondering if before he does, if he could also deal with the meaning of "development of buildings"; because it's just that broad. Buildings, I presume, would include a single-family residence, or any type of structure. They are not only talking about developers in the common meaning of the term, that is subdivider and so on.

Mr. Singer: Can the member speak up? We can't hear him.

Mr. Taylor: We are speaking here, as I read this section, of any person who might develop a building, whatever that may mean. So I'm also concerned about your comments on what you mean by development of a building; because it could catch the single-family homeowners or someone who owns a lot now and would like to build a house on the lot.

Mr. Chairman: The parliamentary assistant.

Mr. Irvine: Mr. Chairman, first of all I was against the amendment the member for Downsview brought out, since that very fact was brought out clearly by the member for Ottawa Centre yesterday. It referred to the—

Mr. Cassidy: I am still trying to help you out as another member from eastern Ontario.

Mr. Irvine: It referred to a redevelopment area in section 22(1)(a). I think we've got to remember that the words development and redevelopment are pretty well accepted throughout all the province. Do they need to be defined more than they are?

Mr. Singer: Yes, indeed they do. We are back to the same old thing, that what is in Hansard or what you and I accept doesn't mean that the courts are going to accept it.

Mr. Irvine: The Law Reform Commission didn't feel it needed to have any further definition in regard to the wording of development or redevelopment. I wonder if the member is accomplishing something by putting in this particular Act what he proposes to do now? I see no harm in it as it is proposed in the second amendment, but we certainly couldn't accept the first amendment.

We are defining redevelopment; we are also defining development. That's in 35a(1). I would be in agreement with what you have proposed so far.

Mr. Singer: I would ask the parliamentary assistant to ask his people there to draft it because I think we are almost of the same mind insofar as what we want is concerned.

Mr. Irvine: We can take the wording right from the Act.

Mr. Singer: All right, the wording right from the Act; fine.

Mr. Chairman: What do I do with—

Mr. Singer: To help the chairman out, I suppose somebody should give him a piece of paper putting it into proper context.

Mr. Chairman: If we could just—

Mr. Taylor: The point which disturbed me was development of a building might mean erecting a building, and usually you obtain a building permit before you build your house. Does that mean the council could interject itself and say, "Before you build your house or as a condition of your building permit you have to do all of these things enumerated in this section"? I wanted that clarified; whether or not that was the intent.

Mr. Chairman: Do you have an answer?

Mr. Irvine: Mr. Chairman, I couldn't hear the member. Would he speak up?

Mr. Taylor: Yes, maybe we could have the PA system tuned in here.

Mr. Cassidy: They are so unused to hearing from you they don't know what to do.

Mr. Taylor: Only because of the member's performance have I been quiet. The point I was making is this: If you read the section it refers to the development of a building and a condition precedent to permitting that development would be compliance with conditions imposed by the local council along those lines set out in the section. Does development of a building mean actually physically erecting the building?

If it does, in effect, the section is saying that before a building permit is issued to erect a building, the municipality can exact conditions along the lines enumerated in this section. That doesn't exclude someone coming in for a building permit for a single-family house, say, who might have owned his lot for a long time. I wonder if it is your interpretation that that type of thing wasn't intended. As I read the section it might very well be caught up in this section.

Mr. Irvine: Mr. Chairman, to answer the member in regard to his question, I think we have to go back to the amendment which I introduced concerning residential, 25 or more, dwelling units; a single-family dwelling is not affected.

Mr. Taylor: With respect, as I understood your amendment, it deleted clause 11 and substituted a new clause 11 and a new clause 12, which are just further conditions. The preface to the whole section or the implementing part of the section is 35(a) subsection 1.

Mr. Singer: Twenty-five or more doesn't apply to this at all. I think the member is right.

Mr. Bullbrook: Mr. Chairman, may I join the debate for a moment by saying that I entirely agree with the position that's taken by the member for Prince Edward-Lennox? His assessment of this statute is absolutely correct. I don't want to belabour the point, but certainly it's coming through to me, if I may say, that we are doing a very haphazard job on this legislation, we really are. This really should be referred to a standing committee so that there can be public input.

All right, I realize you are not going to do that, but you can certainly see the error in the way—this is really a significant statute and the powers that this is giving to a municipal council to arbitrarily deal with the citizens is beyond description. He is quite right in his interpretation of the section.

Mr. Chairman: Will the member for Downsview reword his amendment then?

Mr. Singer: Really, we are talking about two principles. There is my amendment, which I think the parliamentary assistant and I have agreed upon. There is the point raised by the member for Prince Edward-Lennox, which I think has equal validity and there should be an amendment to encompass that as well.

Mr. Cassidy: We have an amendment before the House, Mr. Chairman.

Mr. Singer: I agree that the addition of 12 does not apply to the preamble to 35, so instant draftsmanship gets a little ridiculous, because without ample time to consider all of the ramifications of it, frankly, as we sit here at our desks and try to debate and write, it's impossible to achieve.

Really what I would suggest is let the minister's staff or the ministry, who I would think by now have in mind what we are talking about—the member for Prince Edward-Lennox is concerned about a definition of development for the purpose of this section and I am concerned about a definition of redevelopment—let us get a formal amendment here that we can all agree to. I don't think that's going to be hard. But I hesitate, and in fact I refuse really, to try to scribble something out at this point that may become a part of the law because it is going to be inexact and inexpert.

Mr. Chairman: May I suggest that as it is almost the lunch hour that this could be set aside for just now and perhaps over the lunch hour someone come up with an appropriate amendment?

Mr. Singer: Yes, I would hope that the minister's staff—

Mr. Chairman: Agreed?

Mr. Cassidy: Mr. Chairman, we have a procedural problem or a point of order; at the present time we have, I gather, two amendments in front of the House, rather than one.

Mr. Chairman: No, we just have this one which we are discussing. The member who moved it will, I would suggest, withdraw it.

Mr. Singer: I'd be prepared to withdraw it in favour of something else.

Mr. Chairman: He is withdrawing his amendment and a new one will be presented.

Mr. Cassidy: I understood that the parliamentary assistant had moved the amendment to create a new section 12.

Mr. Singer: Yes, we are letting that stand for quite a while.

Mr. Chairman: We have not dealt with that yet.

Mr. Cassidy: We have not dealt with that? It is not before the House at this time?

Mr. Chairman: That's right.

Mr. Cassidy: I see.

Mr. Singer: I have two or three more on a different basis.

Mr. Cassidy: I have a number as well.

Possibly, in order to facilitate the business and in the rather vain hope that the parliamentary assistant might accept it, I could also put before the House the amendment that I wanted to move and also suggest a way out of the impasse which the member for Downsview was trying to resolve. That is the question about—there seemed to be two questions as related to the development or redevelopment, which is mentioned in the fourth or fifth line of clause 1.

The first question is whether every residential dwelling unit—in other words, whether a single-family house that happens to be in a development control area—should or should not be covered by these development control provisions. The member for Prince Edward-Lennox clearly feels that it should not. The parliamentary assistant is ambiguous, he doesn't know.

Mr. Irvine: I agree with you.

Mr. Cassidy: The parliamentary assistant agrees that development controls should not apply where there is a dwelling of less than 25 units. Is that correct?

Mr. Irvine: Exactly, that is what I said.

Mr. Chairman: I think this agreement is just a matter of rewording the—

Mr. Cassidy: It is just a matter of rewording, yes.

Mr. Chairman: —the proposed amendment, which we can—

Mr. Cassidy: I am not so sure about that, you know. If you put up a 12-plex, why, you can have traffic problems, access problems and other problems like that, which may in fact require more sensitive handling than is available right now. If you wanted to do something about that and wished to exempt, say, single-family, semi-detached duplexes and triplexes—in other words, the kind of dwelling that would be built either by a very small merchant builder or built by an individual who has simply decided that he wants to build himself some dwelling space. Possibly it's an apartment in a basement or maybe he puts up a triplex rather than a single-family home. If you want to exempt that kind of little guy from these development control provisions, then we will agree with it. But if you are going to pass a rule which allows the little developers to come along and exploit development control legislation, then that doesn't make any sense to us at all.

It seems to me the exemption from the design control for units of under 25 dwellings makes sense, if you want to leave it as it stands. It is different, however, to go further than that and not to have the powers in a development control area for the municipality to sit down and talk with the developer about such things as off-street parking—there can be 15 to 20 cars in a 12-plex and that is an awful lot of cars—the location of the walkways and the driveways, and the grading, where there is a fair amount of asphalting that may have to go in in order to accommodate those 15 to 20 cars.

I don't think that those things should be exempted from development control powers, except in the case of very small projects with a single-family house or a duplex or a triplex or maybe a four-plex or a couple of semi-detached houses, where clearly they are not of such an impact on a community that you really need to worry about it and where the normal provisions that exist in zoning legislation would apply anyway.

As for the matter of exempting repairs and improvements, I have some misgivings about the approach that is taken by the hon. member for Downsview in suggesting that the development be defined as the planning or replanning, design or redesign, resubdivision, clearance, development, reconstruction or rehabilitation or any of them—of land, I think he said. I know what he is getting at now. I understand where he refers to land he means land and any buildings that may happen to be on it at this time. It seems to me that you may be better advised, and I say this to the assistant's advisers, to turn

it around and to take the Winnipeg Act and quote from that and put a new section in as subsection (5) of 35a, I suppose. It would say something to this effect: "Nothing in this section shall be deemed to affect the carrying out of any operation for the maintenance or improvement of any building or structure, provided there is no change in use." It seems to me that that would cover what the hon. member for Downsview was after.

Mr. Singer: That is another way of getting at it.

Mr. Cassidy: Yes. In other words, if you want to paint your house, if you want to put a new roof on, if you want to put a new sunporch on, if you want to improve the garage, or put in a sundeck, if you want to put a new fascia on a commercial building to tart it up and to make it look prettier, all of these things are permitted and are not subject to development controls.

On the other hand, if you have a residential dwelling in a commercial area and want to turn it into a restaurant, for the sake of argument, and that is permitted by the zoning, it seems to me that that should be subject to development control, so that there is negotiation with the municipality about the parking, the paving-over of the back garden which becomes a parking lot, the pedestrian access and the other things which are liable to create a nuisance.

Mr. Bullbrook: But if you have a non-conforming use and you want to see it modified, your wording doesn't cover that.

Mr. Cassidy: Okay. I don't have the wording written down, but I'll repeat the suggestion. Nothing in this section 35a shall be deemed to affect, or whatever the lawyers say, the carrying out of any operation for the maintenance or improvement of any building or structure provided there is no change in use. That means, for the sake of argument, if you have a restaurant in a residential zone, and it is a pretty place and everybody goes to it, it is a desirable use. If they want to tart that restaurant up, they can do it without having to go through all of the hoops and find themselves blocked by the city because of development controls.

Mr. Singer: If you have a restaurant in a residential area and you want to make a residence out of it you're blocked by the city on the grounds it is the development of a single residence.

Mr. Cassidy: That's right, but at that point I'm sure the municipality would say, "We're fed up with the odours of steak char-broiling in this residential area. If you want to turn it back into a residence, that's just great." They would open the doors wide in order to permit that.

Mr. Bullbrook: I like your thoughts. Again, I am worried about your wording about the time.

Mr. Cassidy: Okay. I think we have time over the lunch break for Mr. Bain and the other people to come up with it. Possibly this is more precise than what you want to do.

Mr. Chairman: We'll come back to this after lunch. Do you have any discussion on another subject?

Mr. Cassidy: Yes, I do have an amendment, Mr. Chairman. The draftsman apparently betrayed the assistant in this particular section, because section 10 is subtitled development control.

Mr. Singer: On a point of order, Mr. Chairman. If he's going down—you didn't zero in there? Are you on sub 1 now?

Mr. Cassidy: I'm on the whole section. I'm not trying to get away from sub 1. I simply want to put on the record before lunch an amendment I will be moving after lunch.

Mr. Singer: I have an amendment to sub 1, on the widening part which I want to talk about somewhere.

Mr. Cassidy: Yes. Anyway the marginal note says development control and we've seen the spectacle of the parliamentary assistant doing somersaults to convince us that this is site plan control and not development control. I agree with him and I'm sorry about the effort to try pass it off as something more than it is.

We believe that powers of development control should be given to municipalities. It may be that it should be to designated municipalities which the ministry feels have the competence to carry it out; I don't know and that's not included in this particular amendment. Since it's just coming up to the lunch hour, I will read the proposed amendment we would like to see considered and we hope, even at this late date, it would be accepted by the ministry.

That section 10 of Bill 264 be amended by adding a new section 35c as follows:

35a (1) Where there is an official plan in effect in a municipality, the council of the municipality, in a bylaw passed under section 35, may designate the municipality or any defined area or areas thereof as a development control area. (2) In any development control area designated under this section development permission shall be obtained prior to the commencement of development of the land within that area. And no development shall take place without a development permission bylaw passed by the council of the municipality.

Mr. Chairman: You're just reading it for the sake of clarity now.

Mr. Cassidy: I'm just reading it but I wish the people most directly concerned to have it; if a copy could go to the Liberal Party and a copy to the parliamentary assistant.

Subsection 3: The council may grant development permission for a temporary period or indefinitely and either conditionally or unconditionally.

Sub-subsection 4: In addition to the matters referred to in section 35a, that is the matters which we have just been discussing at the top of section 10, a development permission may also include conditions related to any or all of: (a) the use of the land, building or structure in respect to which the application is made; (b) the timing of the development; (c) the siting and design, including external materials of the proposed building or structure; (d) the relationship of the development and its projected uses to transportation facilities and public transportation; (e) the demolition or removal of residential or other buildings on the site of the proposed development; (f) the physical bulk and height of new buildings; (g) the availability and location of residential accommodation, of public facilities, of private open space and of retail commercial facilities and the mixture of uses and activities within the proposed development; (h) the shape and size of the development site; (i) the preservation of the natural environment, including any mature trees on the site.

Sub-subsection 5: For the purpose of this section, development means the carrying out of construction, building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any building, structure or other land.

I'll explain that afterwards, Mr. Chairman.

Very briefly, what this is intended to do is to supplement the rather limited powers given in sub 1 of section 35a, and the site control provisions in the Act right there. The features I've put in here are drawn from recommendations made to the city of Toronto and from the Winnipeg development control bylaw. It's my feeling that, pending a complete review of the Planning Act, we shouldn't scrap zoning bylaws where development control comes in. Therefore we are suggesting what the Law Reform Commission shied away from but what Prof. Milner suggested, which was a third tier of control, a third level of control, within the umbrella or the framework of existing zoning bylaws, which would be this development control in areas where development control was required or desired by the municipality.

I hope the assistant has a serious look at this over the lunch break because I'm convinced that if he does, he'll come back and accept it after lunch.

Mr. Singer: I wouldn't bet too much money on that!

Hon. Mr. Guindon moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report progress and asks for leave to sit again.

Report agreed to.

It being 12:30 o'clock, p.m., the House took recess.

ERRATUM

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Tuesday, December 11, 1973

Afternoon Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 11, 1973

The House resumed at 2 o'clock, p.m.

VISITORS

Mr. Speaker: Before we proceed with the orders of the day for the afternoon, I should like to inform the hon. members that we have a distinguished visitor with us today, the Hon. Simeon Bull who is Minister of Works for the Bahamas.

Mr. C. E. McIlveen (Oshawa): Mr. Speaker, I would like to take this opportunity to introduce grades 7 and 8, 90 members, from Central Park Senior Public School. This is 90 members in addition to the 100 members who visited last week. That's 600 so far in the last two years, and I think probably this school is the champion of Ontario for visiting the Legislature.

Mr. J. Dukszta (Parkdale): Mr. Speaker, I would like to introduce grades 9 and 10 from the West Toronto Secondary School who are sitting in the east gallery with their teacher Fred Jarman.

Mr. W. Hodgson (York North): Mr. Speaker, I would like to introduce to you and the hon. members of the Legislature a great Canadian, a great sportsman, one who has done more for the handicapped in this province and across this dominion than any other person in the whole Dominion of Canada. He has carried Timmy on his shoulders for 25 consecutive years for Easter seals. At the present time he is chairman of a telethon which will take place on Feb. 16 and 17, 1974, for a new therapeutic swimming pool extension at the Newmarket Hospital. I'd like to introduce Whipper Billy Watson.

Mr. Speaker: Perhaps the hon. members might permit me to repeat an introduction that I made a few moments ago before our guest had arrived. In the Speaker's gallery we have with us now the Hon. Simeon Bull who is Minister of Public Works for the Bahamas. Perhaps we could extend our welcome to him now.

Statements by the ministry.

MAN AND RESOURCES CONFERENCE

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Mr. Speaker, I would like, if I may, to table some facts and figures relating to the Man and Resources Conference in relation to a question asked by the hon. Leader of the Opposition on Nov. 29.

Mr. Speaker: Oral questions.

The hon. Leader of the Opposition.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. R. F. Nixon (Leader of the Opposition): I would like to ask a question of the Premier, Mr. Speaker, relative to the introduction of Bill 274 yesterday. Has the Premier overnight had an opportunity to give some further consideration to the provisions of the bill? Now that we have had an opportunity to examine them, is he prepared to stand the bill down for reconsideration early in the new year?

Mr. I. Deans (Wentworth): Oh, welcome aboard.

Mr. R. F. Nixon: Or is he prepared, as an alternative, to assure that if the bill gets second reading here—which we certainly will oppose—it will, in fact, go to a committee where the representatives of the teachers' professional organizations can express their views?

Mr. S. Lewis (Scarborough West): It was okay yesterday — it was okay on first reading. The Leader of the Opposition didn't quite understand it on first reading, then?

Hon. W. G. Davis (Premier): Mr. Speaker, I have read with great interest the about-face taken by the official opposition in the Province of Ontario since yesterday afternoon; which demonstrates once again rather conclusively the lack of intestinal fortitude when it comes to meeting top issues here in this House.

Mr. Lewis: Absolutely.

Mr. Deans: The Premier is right; I agree with him for the first time this session.

Mr. Lewis: It's called expediency. That's what it is called—crass expediency.

Hon. Mr. Davis: And while I disagree—

Mr. R. F. Nixon: Point of order, point of order.

Interjections by hon. members.

Mr. Lewis: We don't agree with the government either; but we consistently don't agree with the official opposition.

Mr. R. F. Nixon: Mr. Speaker, perhaps you are not aware that obviously it is the duty of the members of this Legislature to examine the bill, because we are not in the pockets of the teachers or any other group. In fact, we are concerned about the welfare of education.

Interjections by hon. members.

Mr. Lewis: It wasn't clear yesterday? It wasn't clear yesterday?

Mr. R. F. Nixon: Further to the point of order, surely you should, sir, consider whether or not the bill in its present form is valid for presentation for second reading.

Mr. Lewis: Here we go; here we go.

Mr. R. F. Nixon: It is for this reason that I ask the Premier if he will reconsider what is surely his own bad judgement in indicating that the bill is going forward for second reading without delay?

Mr. Lewis: It wasn't clear that it was compulsory arbitration yesterday?

Hon. Mr. Davis: Mr. Speaker, before I was interrupted by that questionable point of order, I was on the point of endeavouring to answer the question—

Mr. Lewis: It is worse than the Spadina Expressway. I thought that was the one.

Hon. Mr. Davis: —that intrigued me as a result of the new statement that was issued.

Mr. R. F. Nixon: Not a new statement—a position of the party.

Hon. Mr. Davis: I still can't for the life of me understand how the member for Ottawa East (Mr. Roy) is going to sit in this House, after the questions and the issues he has raised in the last five or six days and not support that bill in principle on second reading.

Mr. Lewis: They supported it yesterday; they may support it on third reading.

Mr. R. F. Nixon: Totally unsupported.

Hon. Mr. Davis: I would say to the Leader of the Opposition, we intend to go ahead with second reading. The principle of the bill is fundamental, it is simple. We are trying to find a reasonable way to bring the situation to a conclusion, if the negotiations fail, as it results in the 17 boards that are affected.

Interjections by hon. members.

Mr. Lewis: The government is wrong, it is wrong—but it is less wrong than the Liberals are, because the government believes it.

Hon. Mr. Davis: Mr. Speaker, we are quite prepared as a government, always have been—

Mr. Lewis: He believes that?

Hon. Mr. Davis: —if there are improvements during consideration by committee of the House as they relate to the technical aspects of the bill, certainly we are prepared to consider any reasonable alterations that might improve it. But, I would say to the Leader of the Opposition, to me it is totally irresponsible to try to have it both ways—

Mr. R. F. Nixon: The Premier doesn't know what he's talking about.

Mr. Lewis: Absolutely right.

Mr. R. F. Nixon: Bring it down.

Interjections by hon. members.

Hon. Mr. Davis: —to try to satisfy the teaching profession on the basis of him saying that he doesn't agree with some of the contents of the bill. That, Mr. Speaker, is a fiction.

Interjections by hon. members.

Hon. Mr. Davis: We don't like this sort of legislation if we can avoid it—

Mr. R. F. Nixon: I would hope not.

Hon. Mr. Davis: —but at the same time we know we have a responsibility for 175,000 young people—

Mr. Deans: Why doesn't the Premier stop posturing?

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Davis: —and that's why we intend to proceed with it.

Mr. E. M. Havrot (Timiskaming): Waffle on that one.

Mr. Lewis: They may support it on third reading.

Interjections by hon. members.

Mr. R. F. Nixon: A supplementary: Is the Premier going to give his indication that the bill will be examined by a standing committee of the Legislature so the representatives of the teachers can express their views, or does he intend to ram it through the way the presumption is made by his previous statement?

Interjections by hon. members.

Mr. Speaker: Order, order.

Mr. Lewis: He didn't think so yesterday.

Hon. Mr. Davis: We do not intend, Mr. Speaker—

Mr. Lewis: The Leader of the Opposition applauded it.

Mr. R. F. Nixon: Applauded it? Nonsense!

Hon. Mr. Davis: We do not intend—

Mr. Lewis: On a point of order, Mr. Speaker.

Interjections by hon. members.

Hon. A. Grossman (Minister of Revenue): The enemy is over here, fellows.

Interjections by hon. members.

Mr. Lewis: This is too delicious for words. Let me rub it in a little.

Interjections by hon. members.

Mr. Lewis: It's rarely that we have this kind of situation. Let's enjoy it for a while.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker—

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker—

Interjections by hon. members.

Mr. Speaker: Order. Order, please. Order. Unless we have some order I will adjourn this House for one half-hour.

Interjections by hon. members.

Mr. Speaker: I hereby suspend the proceedings in this House for a period of one half-hour.

The proceedings of the House were suspended at 2:12 o'clock, p.m.

The House resumed at 2:43 o'clock, p.m.

Mr. Speaker: I had called oral questions, and five minutes of the question period had gone on; so there are now 40 minutes remaining for oral questions. I believe the hon. Premier of the province had the floor at the time we suspended the proceedings.

WITHDRAWAL OF TEACHERS' SERVICES

Hon. Mr. Davis: Mr. Speaker, I just want to make it abundantly clear, while I may have had the floor, the real reason for your very wise decision to suspend was really at being provoked on the other side of the House. It had nothing to do with the fact I had the floor.

Interjections by hon. members.

Mr. Lewis: There was a loud licking of chops.

Hon. Mr. Davis: Mr. Speaker, assuming we don't have to pray again—and perhaps we should—I was really just trying to give a very reasonable reply to a supplementary question by the Leader of the Opposition as to whether or not the bill would be proceeded with. I said, yes, it is our intention to give it second reading. When that is accomplished, we will determine as to whether it should be dealt with in committee of the whole House or by the committee.

I would also say, Mr. Speaker, it is my understanding from the minister (Mr. Wells) that during second reading he will acquaint the House with some amendments to the Act, which alter some of the technical aspects but which don't alter the principal of the bill, which we intend to support.

Not to become provocative again, I now assume the official opposition in the Province of Ontario has done a complete about-face and will vote against the bill.

Mr. Lewis: Don't be too sure.

Mr. R. F. Nixon: Supplementary: Has the Premier conferred with the Attorney General (Mr. Bales) as to the enforceability of the

main base of the bill—that is, assuming the motives of the teachers in their resignations must be construed in some legal way, so that some of the resignations are going to be considered to be valid and others unlawful?

Hon. Mr. Davis: Mr. Speaker, I haven't discussed it personally with the Attorney General. I think it is reasonable to assume the Minister of Education (Mr. Wells) or senior officials have been in touch with and consulted with the senior law officers of the Crown. I think this is an area that obviously will be discussed, not necessarily during second reading, but certainly on consideration of the bill clause by clause.

Mr. R. F. Nixon: Supplementary: Wouldn't the Premier agree, upon reading the bill—particularly that significant section to which I refer whereby it is necessary for this Legislature, if it approves the bill, to legally rate the motives of individuals in this province—there would be grave reasons for some of his own supporters to reconsider their position to support of that bill after they have had an opportunity to read its fantastic provisions?

Hon. Mr. Davis: Mr. Speaker, I don't think there is anything fantastic. I think the Leader of the Opposition will find that while this legislation is not easy for the government or the supporters of the government—

Mr. M. Cassidy (Ottawa Centre): Rather retrograde.

Hon. Mr. Davis: —once we make a decision and we feel we are doing the right thing in the interests of the general public and, in this case—

Mr. R. F. Nixon: Presumably based on reading the bill.

Hon. Mr. Davis: —particularly, the 175,000 children who are affected, he may find that the government members—

Mr. R. F. Nixon: We are all concerned with them.

Hon. Mr. Davis: —vote rather solidly in support of this bill.

I think, Mr. Speaker, while I'm delighted to get into a debate on the contents of the bill itself, really the question period—

Mr. T. P. Reid (Rainy River): Save it for second reading.

Hon. Mr. Davis: —is not the appropriate time. The Minister of Education will have quite adequate answers and, as I say, there will be some suggested amendments as they relate, perhaps, even to this particular section; I'm not sure.

Mr. Deans: A supplementary question.

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: Thank you. I wonder if the Premier will be able to make the amendments the government proposes to introduce available to the House before we proceed with second reading, in order that the Liberal Party might determine what it should do on third reading?

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, I am sure the minister will make the suggested amendments available to all members of the House as soon as possible. I expect we will have them fairly shortly.

Mr. Speaker: The hon. Leader of the Opposition.

ONTARIO ENERGY POLICY

Mr. R. F. Nixon: Thank you, Mr. Speaker. Another question of the Premier having to do with his statement or his speech yesterday to the Canadian Club pointing out quite a rosy future for this province in view of, if not in spite of, the energy crisis: How does he square his views with those expressed by the chairman of Metropolitan Toronto, who calls upon the government, if not his own municipality, to establish some special programmes to aid with the increase in unemployment which may very well be associated with the unnatural economic pressures during the coming winter months?

Hon. Mr. Davis: Mr. Speaker, I will get a copy for the Leader of the Opposition because I know he is always interested in reading my speeches. I think it has to be read in its entirety.

Mr. R. F. Nixon: They usually get sent to me eventually.

Mr. J. R. Breithaupt (Kitchener): There isn't that much demand for them.

Hon. Mr. Davis: There may not be a great deal of demand for my speeches but I would say to the member for Kitchener that whatever demand exists for my speeches is substantially in excess of the demand for his own.

Mr. Breithaupt: The Premier makes a lot more.

Interjections by hon. members.

Hon. Mr. Davis: That doesn't mean, Mr. Speaker, that some 2½ years hence there won't be a greater demand for the speeches by the member for Kitchener as his own political ambitions become more mature. That is a casual observation.

Mr. A. J. Roy (Ottawa East): Better than those on the Premier's right.

Hon. Mr. Davis: Mr. Speaker, if the member for Ottawa East wants to interject, I would make the same observation about his speeches.

Interjections by hon. members.

Hon. Mr. Davis: I mean as to their future.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, the Premier is becoming provocative.

Hon. Mr. Davis: I'm sorry, Mr. Speaker, if I'm becoming provocative. I do apologize.

Mr. Speaker: The hon. Premier should not provoke the opposition.

Hon. Mr. Davis: It is not my nature to be provocative.

Interjection by an hon. member.

Hon. Mr. Davis: Mr. Speaker, to get back to the question; as I say, the speech has to be read in its entirety. There may be some difference in the point of view I expressed from the point of view of the chairman of Metropolitan Toronto, although I think the chairman of Metropolitan Toronto was trying to put it in a municipal context. I was looking at it in the provincial context.

I think the speech was worded in such a way that we were not creating any false impressions. At the same time I think it is important, Mr. Speaker, when we face a period of many unknowns and intangibles, that people in positions of responsibility act responsibly and that we do not artificially create a feeling of pessimism, a feeling of unrest or concern, which is always a possibility, that may, in fact, not be true.

What I attempted to do yesterday at the Canadian Club, Mr. Speaker, and I think it is important, was to point out some aspects as they relate to the energy situation and where we may—I say "may" and I said "may"—in a relative sense be able to offset some of the potential negatives which may occur. As I have expressed in this House in answer to questions from the member for Scarborough West as to what this government is doing, I made it clear, I hope, that we were giving this a very high priority as to our assessment; a very high priority as to the information obtainable at this moment; and, for some past weeks, as to the situation developing outside the borders of Ontario.

I think it is fair to state, Mr. Speaker, that still there really isn't sufficient information. There has not been any pattern set in the United States, as it relates to its own economy, by which one can accurately predict the situation will be exactly the same in 48 hours, two weeks or two months. I would say, Mr. Speaker, we are continuing to give this priority. We are monitoring it on an almost daily basis.

What I did point out were two or three important facts. Firstly, there is a reasonable degree of security in the Province of Ontario with respect to energy supply. I also acknowledge, as the Minister of Energy (Mr. McKeough) has in a very articulate and a very clear way explained to the members of this House and to the public, these situations can change. I think in relative terms we do have reasonable security. If this is the case, Mr. Speaker, then there are two or three other things that flow from it.

First, there is the security of supply. There is some degree of predictability as to the cost or as to the price, which we all acknowledge will increase, but probably in relative terms not as significantly as some of the trading partners or competitors in the international markets. I think it is fair to state, Mr. Speaker, in some aspects of our manufacturing industry, because of what is happening in other jurisdictions, with supply being relatively secure here, our own manufacturers may be able to become more competitive on the international markets. While the demand for certain products in some areas will diminish, there is no question either with some goods the demand may increase and the Ontario manufacturer may be in a position, because of this peculiar set of circumstances, to compete more effectively than has been the case.

I think it is also fair to state, Mr. Speaker, as the situation becomes more difficult in some competing jurisdictions, the opportunity for the Canadian manufacturer within Ontario to compete in the domestic market perhaps will become more favourable as well.

Mr. Cassidy: This says something about the Premier's productivity in words.

Hon. Mr. Davis: What I am trying to do and will continue to try to do, Mr. Speaker —or this government will—is to point out those areas of positive action that can be taken in order for our industry, both primary and secondary, to take advantage of what is a very difficult situation on an international basis.

While I am the last one who can predict accurately what may happen in some other jurisdictions of the world, I can only say this to you, Mr. Speaker, and to the members of the House: I will not be a part of those people who for one reason or another help create a climate whereby public fear is raised to the extent that consumer spending, which is essential to the growth and vitality of any economy, is artificially turned off.

I think that would be the wrong route. I think it would be fictitious and I intend, quite frankly, to take something of another approach, while recognizing at the same time the complexity of the issue and the fact that we are without any question involved very significantly in the economic factors that obtain in the United States.

Mr. M. Shulman (High Park): The ostrich approach.

Mr. Cassidy: The Premier is wearing down his various competitors with words.

Hon. Mr. Davis: Mr. Speaker, that is just a very brief summary of some of the things that were said to the Canadian Club yesterday.

Interjections by hon. members.

Mr. Speaker: Order, please. The response took some 6½ minutes, which is slightly longer than is provided for in the standing orders. I think in fairness I should extend the question period by three minutes.

Mr. D. C. MacDonald (York South): You are really ruling exactly today.

Mr. R. F. Nixon: I was wondering why the Premier read his remarks to the Canadian Club when he felt so confident that this information is for us as members of the House. I would like to ask him who he thinks is artificially undermining the confidence of the economic community. Is it Stanfield?

An hon. member: Sure it is.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, I would say, in answer to that specific question, if there is any one man at the national level who can stimulate confidence in the future of Canada, it is Robert L. Stanfield.

Interjections by hon. members.

Mr. R. F. Nixon: Did the Premier say it was Stanfield or wasn't Stanfield?

Mr. Lewis: Is the Premier paying the Liberal Party? What's happening today?

Mr. R. F. Nixon: I just want to ask the Premier if this means there is every indication now there will be no programme to assist the unemployed during the winter months because of his confidence in our expanding economy?

Hon. Mr. Davis: Mr. Speaker, we have a programme that we've had for the past three or four years related to assistance to the municipalities and our own winter works programme. It is there, it is geared, and if necessary, as I have said, we are in a position to implement it with very short notice. We have had nothing yet, and I emphasize "yet," that indicates there is a need for this; but if there is, we will be there and we will be ready.

Mr. E. Sargent (Grey-Bruce): A supplementary question of the Premier: Since energy is a pretty wide-ranging subject—

Mr. R. D. Kennedy (Peel South): It will get wider now.

Mr. Sargent: —does the Premier not agree that the hunt for energy would be more meaningful to the citizens of Ontario if the government investigated how many gas-saving carburetors have been bought up and taken off the market by oil companies and the big three manufacturers?

Mr. Roy: Will the Premier check the carburetor on his car?

Hon. Mr. Davis: Mr. Speaker, I am getting a lot of free advice as to how I might answer this question, but after assessing it all very carefully I have decided I will use my own answer.

I think, Mr. Speaker, that question might more appropriately be addressed to the Minister of Industry and Tourism (Mr. Bennett) who, I think, had a fairly lengthy discussion on carburetors just a few days ago here in the House. I must confess that I personally—

Mr. Reid: The Premier is an expert on exhausts.

Hon. Mr. Davis: I personally have no knowledge of the purchase of carburetors by gas companies, but the hon. member might wish to pursue this with the Minister of Industry and Tourism.

Mr. Reid: May I ask a supplementary related to the first question by the Leader of the Opposition? How much money has been allocated for this contingency winter works programme?

Hon. Mr. Davis: Mr. Speaker, I think if the hon. member were to take a look at the amounts that were expended and invested by this province last year, he might be able to make some sort of calculated estimate as to what might be available for this year.

Mr. Reid: In other words, the Premier doesn't know.

Mr. Speaker: The hon. member for Scarborough West.

PARKWAY BELT

Mr. Lewis: A question of the Premier, Mr. Speaker, based also on his speech yesterday.

He will recall saying:

> Compensation for any land designated to be purchased is to be based on the market value of the land as of June 3, 1973. This means compensation for land to be purchased is based on market value, including development expectations in the light of the zoning at that time.

Can he elaborate a little on the meaning of the phrase "development expectations" in that context?

Hon. Mr. Davis: Yes, Mr. Speaker, I think we have discussed this matter in the House, and I hope the member for Scarborough West will read the "probable" in front of what I said.

I want to get some public discussion and, at the same time, to start to define as precisely as we can some of the complex issues of compensation. I think the phrase I used was that this is probably the route we will go, and then I outlined various areas.

What I said was that in those areas that we actually acquire within the parkway belt, perhaps for transportation corridors, for utility corridors or for park purposes, the owners would be compensated on the basis of market value as of June 4, which was the date the parkway belt plan was made public.

To give an example: If the market value might not be the same as would be considered to be market value of agricultural land, where market value for agricultural land, in a very restricted context, might be, say, $350 or $400 an acre—there are situations where people have paid much in excess of that: $10,000, $15,000, $20,000 an acre—in terms of market value related to potential development, compensation on a reasonable basis was the price that was established.

What I am saying is that, as a government, we will take into account development potential that can be demonstrated was a market potential at the date of June 4. I think that is as closely as I can define it at this present moment.

Mr. P. D. Lawlor (Lakeshore): It will cost $1 billion.

Mr. D. M. Deacon (York Centre): Mr. Speaker, will the Premier explain what he is going to do for those who are outside the land actually needed for the parkway belt but who are also within the zone that is confined only to agricultural or park purposes? How will he compensate those whose land, for agricultural purposes or whatever purpose is still permitted, is valued at only $400 per acre?

Hon. Mr. Davis: Well, Mr. Speaker, this is, of course, the issue that we have been discussing, and we then get into the very significant problem of public policy as to whether a person should be compensated where the right to use that land for its present zoning has not been altered to the extent of an existing use.

In other words, within the parkway belt corridor which may be, say, 1,500 ft wide, it could be that the various ministries or agencies or municipal agencies of government may require, say, two-thirds of that corridor. The balance of it, under the proposals, would continue to be owned, of course, by the present owners. It would be then part of an official plan which would be adopted by the municipality and the owner would be in the same position as he would be dealing with any municipal level of government.

It means, Mr. Speaker, that there probably would not be compensation for those lands we do not take directly, which is not unusual with the existing practices within the municipalities. This is the difficult area,

the sometimes grey area one could describe it, where I think a decision has to be made sometime. Mr. Speaker, I should also point out that we will not be making final determinations on this until the parkway belt hearings have been held and the actual alignment has been finalized. The Treasurer (Mr. White) has made it abundantly clear to numbers of delegations – so have I – and to the municipalities that it is somewhat premature to be getting into a final determination of this area until we know exactly where the–

Mr. Sargent: The Premier is taking a big chance.

Hon. Mr. Davis: –parkway belt is, in fact, going to be in a precise location. My own personal point of view, of course, is that by and large the parkway belt, after the hearings, will be in that general area of alignment obviously. But it wouldn't surprise me, Mr. Speaker, if the hearing officers made recommendations or variations that could accommodate some of the problems which may or may not relate to compensation but certainly to the rights of certain individuals within the parkway belt corridor.

Mr. Deacon: A further supplementary; Would the Premier not agree–

Mr. Speaker: We should alternate the supplementaries. The hon. member for Ottawa Centre.

Mr. Havrot: Super-mouth.

Mr. Cassidy: A supplementary of the Premier, Mr. Speaker: Since the Expropriation Act requires the payment of current market value plus some extras at the date the expropriation order is put down, is the Premier saying that the province intends to amend the Expropriation Act in the case of land acquisition for the parkway belt? If that's the case, can he explain why the government has waited for six months before announcing the intention of acquiring it at an historic price, rather than at the price which would be determined under the Expropriation Act?

Hon. Mr. Davis: Mr. Speaker, we are attempting to do this with equity and I think it is fair to state that the equitable approach is to take the June 4 date. If one were to look at market value now in the parkway belt I think one could say that market price per se for anyone purchasing within the parkway belt today is very substantially less than it would have been on June 4.

While the Expropriation Act provisions may refer to the date of expropriation as being the determination date, we are saying, as a matter of public policy, that from our standpoint the date to be set in negotiations for any ministry or agency of the government will be the date when the parkway belt plan was filed and when the rights of the owners became affected. I think this is the reasonable and equitable approach to take.

If one goes the other route, without any question–I see the member for Lakeshore almost nodding in agreement–I think if one analyses it carefully–

Mr. Lawlor: No, I was nodding in disagreement.

Mr. Lewis: He was actually just nodding.

Hon. Mr. Davis: –one will find that this is by far the most equitable approach to take.

Mr. Cassidy: A supplementary–

Mr. Lawlor: It is a fast payoff.

Mr. Deacon: A supplementary, Mr. Speaker: Would the Premier not agree–

Mr. Speaker: We will alternate the supplementaries.

Mr. Deacon: Would the Premier not agree that, in the interests of equity, those whose lands are expropriated for the purposes of the highway or the parkway belt required by the province should not receive more compensation than those who happened to be just outside the actual land needed by the province but still within the parkway belt?

Hon. Mr. Davis: Mr. Speaker, of course, if the member for York Centre were to give this matter very careful consideration, this is where one gets into the very complex problem of the question of compensation for land one does not acquire. You are not acquiring this land; it is being done by way of zoning or official plans to the municipalities.

You would then have to get into the question of compensation for loss of development rights done by a municipality that may wish to preserve certain areas for agricultural purposes for the next 20 years. If one then moves to that sort of principle, one then has to get into the question of compensation for zoning. And I say with respect, Mr. Speaker, this has not been the law, as I understand it, of the Province of Ontario. To make this change would be a very sub-

stantial departure where one might question not only the equity of it in terms of the total public but, of course, in terms of principle as well.

Mr. Speaker: There have been three supplementaries. I'll permit one more from the New Democratic Party.

Mr. Cassidy: Mr. Speaker, I find this whole series of questions objectionable, because the government has botched the handling of land acquisitions; but in cases where—

Hon. Mr. Davis: Why does the member find it objectionable?

Hon. E. A. Winkler: (Chairman, Management Board of Cabinet): Why?

Mr. Cassidy: Yes, I do; because of the botching brought about by the government.

In cases where the value of the land to be acquired would be higher at current market values under the Expropriation Act than it was back in June, which value will the government pay?

Hon. Mr. Davis: Mr. Speaker, with great respect, I think that will not be a practical problem. I think the date that the plan was filed, June 4, probably is the significant date as it relates to value for lands within the area designated as potential parkway belt.

I think the question of whether or not market value will have increased by the time there may or may not need to be an expropriation—and of course we will apply the principles of the Act—I think is really very academic.

I am almost prepared to suggest that in the vast majority of situations, if one were an investor in land, one would not be investing in land within the parkway belt today at a price in excess of what he would have paid on June 3. In fact, I would go a step further and say it would be substantially less. I don't think, without any question, that in 99 cases out of 100 the June 4 date, in terms of equity to the owner, is a more relevant date than maybe some future date for expropriation.

VISITOR

Mr. Speaker: Before I call the next question I'm sure the hon. members would permit me to enter here for just one moment to inform the House that we have a guest with us in the seats under the Speaker's gallery — a former member of this House, Mr. George Bukator from Niagara Falls.

Mr. Lewis: Would that he were here today, Mr. Speaker; he never changed his mind.

HALL LAMP CO.

Mr. Lewis: May I ask the Minister of Labour what is happening at the Hall Lamp Co.?

Hon. F. Guindon (Minister of Labour). Mr. Speaker, all I know at the present time is that we are making assessments, of course, as to what the company could owe to the employees in the case of a permanent layoff; but we are also waiting for information and data from the receiver.

Mr. Lewis: By way of supplementary, does the minister mean all this time has elapsed and the government still doesn't know the status of the worker should this permanent layoff be confirmed as permanent? I've seen figures published in the London Free Press from the receiver some days ago. Surely all of that is over and he has a record of what is involved.

Hon. Mr. Guindon: I have no records at the present time. I am waiting for a full report from my officers.

Mr. Lewis: By way of supplementary, what happens to the 396 workers while the minister waits for his reports and the American company files its bankruptcy and the implications for the Canadian firm are clear? What happens to the people who were employed?

Hon. Mr. Guindon: Mr. Speaker, it is quite evident that I can't get blood out of a stone. We have to find out exactly how solvent the company is; what kind of money would be there. Then we would be glad to collect if we can get some money for those employees that the member is talking about. I met with them last week and I think I have made it very clear to them.

Mr. Lewis: I don't understand the process. One last supplementary: It has been 10 days, almost two weeks now. Yes, I guess it is two weeks today that the plant at 2 o'clock in the afternoon notified its employees to get out. Now, is the minister saying that a period of two weeks isn't adequate time for the Minister of Labour to gather sufficient financial information to tell

the workers what they may or may not be entitled to? Does the minister not set some kind of time limit for the receiver while these people are on the streets?

Hon. Mr. Guindon: No, I don't think we can set any time for the receiver. As the member knows, this is compounded by the fact that there are a number of American companies involved, and we are waiting for information or data from the receiver.

ACQUISITION OF LAKE ONTARIO CEMENT LTD. PROPERTY

Mr. Lewis: A question of the Minister of Natural Resources: Could he tell us what he has offered to Lake Ontario Cement Ltd. by way of the acquisition of its property?

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, there have been certain difficulties encountered with regard to our advising the company as to the amount we will offer. We have engaged a professor from Queen's University, along with other professors in the geological field. They are assessing for us what would be a reasonable offer and in agreement with the company, and in agreement with the Expropriation Act, we have agreed that this offer would not be submitted until, I think, Jan. 22 or Jan. 25. There has been a postponement from Nov. 22 to Jan. 25.

Mr. Lewis: All right. The minister isn't in a position to give us any kind of figure that the government is offering?

Hon. Mr. Bernier: No I'm not, Mr. Speaker, because as I said earlier, there are a number of very complex problems to delve into and to prove. One is the amount of sand which would blow into a specific area and, of course, one is the amount of sand presently left.

DISCUSSIONS WITH MARMORATON MINES

Mr. Lewis: A question of the Minister of Industry and Tourism; a quick one, I think: Have officials of his ministry met with the workers of Marmora, actually it is the Marmoraton Mines I guess, which are destined to close down over the next two or three years, for the discussion of possible relocation and employment alternatives?

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, I would have to take that under advisement. I am not aware of any meeting that has been held with them.

CRANE CO.'S POSSIBLE MOVE TO CORNWALL

Mr. Lewis: A further question of the Minister of Industry and Tourism: Has he heard of the possible movement of the Crane Co., based in Quebec, to Cornwall with help from the Ontario Development Corp.?

Hon. Mr. Bennett: Mr. Speaker, there are several companies trying to move into the Cornwall area and we have been discussing some potential grants and assistance or loan programmes through Ontario Development Corp. I am not in a position to indicate to this House very clearly today exactly who they are for the simple reason we are not looking for other provinces to become our competitors by trying to get them into these provinces.

USE OF CALIFORNIA PRODUCE IN GOVERNMENT CAFETERIAS

Mr. Lewis: May I ask the Premier a supplementary to a question asked a number of days ago? Has he, after his various meetings and submissions, yet decided on the California grape and lettuce issue which I raised with him?

Hon. Mr. Davis: Mr. Speaker, the Minister of Government Services (Mr. Snow) is the minister responsible for food programmes within the government. He is not here today. I think I am speaking very personally but this is a matter of personal choice and it will continue to be that as far as the government is concerned.

Mr. Cassidy: Shame.

Mr. E. J. Bounsall (Windsor West): Shame.

Mr. Speaker: The hon. member for Scarborough West has no further questions? The hon. member for Ottawa East was first.

ANNUAL REPORTS ON COURTS

Mr. Roy: Thank you, Mr. Speaker, I have a question of the Attorney General. Could the Attorney General explain why the annual report of the inspector of legal offices for 1971-1972 makes no mention whatsoever of the work, the number of court cases, in relation to the county court? It involves all courts

in this province except the county court. Could he explain that?

Hon. D. A. Bales (Attorney General): No, not at the moment. That is normally dealt with in a separate way. It may be that the member thinks it should be in that report but normally it is dealt with separately.

Mr. Roy: Could the minister explain why the report would deal separately with the county courts of this province when it deals with all courts including the Supreme Court and the small claims court?

May I ask this further supplementary while I am on my feet, Mr. Speaker? Is there any report out on the volume of cases and the work done by the county courts, apart from this annual report?

Hon. Mr. Bales: The work of the county courts, except in one area—in Toronto it is a separate situation—outside Toronto it is almost up to date. There is only one area where the county court list is of any length and it will be cleared up before the end of this year. I would want to check the member's previous question because it may be that those statistics are there but in a different way.

Mr. Lawlor: What is that, trials de novo?

Mr. Speaker: The hon. member for Sandwich-Riverside.

NEW FUEL FOR NUCLEAR POWER PLANTS

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Energy: What is the minister's reaction to the announcement on Nov. 1 by scientists at the Atomic Energy Commission's laboratory at Livermore in California, that new nuclear physics findings suggest that boron 11 or borax may provide a fuel for nuclear power plants that would be both safe and unlimited?

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, I am not aware of the Nov. 1 report.

Mr. Roy: In 10 words or less.

Mr. Stokes: Try to give a political answer to that one.

Hon. Mr. McKeough: I have no comment to make.

Mr. V. M. Singer (Downsview): Mr. Speaker, we can wait until he has read it.

Mr. Speaker: The hon. member for Windsor-Walkerville.

DECERTIFICATION OF DISTILLERY WORKERS' LOCAL

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Labour. In light of the fact that the Hiram Walker Distillery Workers' Union Local 61 application to the Ontario Labour Relations Board for decertification from its US parent union was denied on a technicality; and in view of the fact that the union now has corrected the technicality; and in view of the fact that both the company and union would like this resolved at the earliest possible moment, would the minister request the Ontario Labour Relations Board to hold decertification hearings within the next week, or within a reasonable period of time, so that the Hiram Walker union could become a Canadian-controlled union and not one subject to US control?

Hon. Mr. Guindon: Mr. Speaker, it is no secret that the Labour Relations Board is presently short-staffed and overworked. The number of applications for hearings before the board is such that the board is sitting in panels of three on a full-time basis. In the case of the employees of Hiram Walker —Local 61, I believe—an application is before the board at this time for decertification. A date of hearing has been set for Jan. 17, 1974.

All I can promise at this time is that if there is a cancellation, I'm sure every effort will be made by the board to expedite this case.

Mr. B. Newman: Supplementary, Mr. Speaker: Is the minister aware that the contract between the local and the corporation expires at the end of December, and that any expedition of their request for decertification certainly would resolve a lot of the potential labour problems?

Hon. Mr. Guindon: Yes, Mr. Speaker, I am aware and the board is also aware of this fact.

Mr. Speaker: The hon. member for York South.

FARM PRICE STABILIZATION

Mr. MacDonald: A question of the Minister of Agriculture and Food: Where do

we stand on the continuing discussions with the federal government with regard to price stabilization for farm returns? Have we made any progress in terms of some assurance that farm returns will be protected in the future if we run into any sort of a recession?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, the federal government made some suggestions to us as to what might be done to amend the Agricultural Products Stabilization Act. As yet we have not responded to their suggestions. We have had some discussions within our own ministry and with others, and I expect we will be making some representations to them.

Frankly, I think the representation should reflect something to do with cost of production of agricultural food products in Canada; at least for those commodities consumed within Canada for domestic supply.

Mr. MacDonald: Supplementary: Are these purely bilateral, as between Ontario and the federal government? Or is there interprovincial or multilateral discussion among all of the provinces in trying to grapple with this basic problem?

Hon. Mr. Stewart: Oh, no, Mr. Speaker. I thought I had explained during my estimates that the federal government made these proposals to us in the last days of September. They initiated a two-day meeting in Ottawa in October, and also a meeting in Winnipeg on Oct. 26; both involved the various provinces.

Some suggestions came out of those meetings, but really nothing very definite. The whole thing was left up in the air, and frankly I think we should take a position in Ontario and let our position be known to the federal government, so that we have a position on behalf of Ontario producers. That is what I intend to do.

Mr. Speaker: The hon. member for Wellington South.

REFUELING OF U.S. VEHICLES IN ONTARIO

Mr. H. Worton (Wellington South): Mr. Speaker, I would like to ask the Minister of Transportation and Communications if there have been any complaints brought to his attention as to the legality of American trucking firms towing their tractor vehicles into Ontario service stations and filling them up with gas? I suspect that these tractors are not licensed so the companies have to tow them in, fill them up and then tow them back. Does the minister have any instances of this having taken place?

Hon. G. R. Carton (Minister of Transportation and Communications): I have not had this brought to my personal attention, Mr. Speaker. If the hon. member has any evidence that he may give me, any names, I'd appreciate receiving them.

Mr. Speaker: The hon. Attorney General has the answer to the questions asked previously.

JUSTICES OF THE PEACE

Hon. Mr. Bales: Mr. Speaker, the member for Downsview asked me a question yesterday as to the number of JPs available in Toronto on last Saturday evening. There are three available; two assigned to specific districts and one available over a larger area.

There was a particular area the member was concerned about. I think the hon. member knows the situation in reference to that particular person. He was booked at 10:20; he was charged at 12:20; the JP was called, he had to take a taxi; and still with all of the problems, the accused was released at 3:20.

I think the hon. member knows quite a bit about this because he was in court in some capacity yesterday morning.

Mr. Singer: No, I wasn't.

Hon. G. A. Kerr (Provincial Secretary for Justice): The member was there at 3:20, wasn't he?

Mr. Singer: No, I was here.

Hon. Mr. Bales: Sometime yesterday morning he was there.

Mr. Singer: No, I wasn't in court. The minister had best check with his informant.

REPRESENTATION OF ATTORNEY GENERAL AT OTTAWA TRIAL

Hon. Mr. Bales: The hon. member for Ottawa East asked a question yesterday in reference to a case before the Supreme Court, before Mr. Justice Lacourciere. It was an application by the regional municipality of Ottawa-Carleton to quash certain resolutions of the township of Marlborough under sections of the Municipal Act.

The case came on for hearing last Thursday, Dec. 6. Mr. Justice Lacourciere merely asked if my ministry had been informed. He was advised we had not been, because the municipality felt it was not necessary. He proceeded with the case and he reserved the decision at the time of conclusion.

Mr. Roy: Try to get on with the cases.

Mr. Speaker: The hon. member for Ottawa Centre.

ARNPRIOR DAM

Mr. Cassidy: A question of the Minister of Energy, Mr. Speaker: Can the minister tell the House when he expects to go to Arnprior to meet with the local politicians and citizens about the Arnprior dam and hydro project, in view of the fact that the meeting had to be cancelled yesterday when this House was sitting?

Hon. Mr. Winkler: Soon, very soon.

Hon. Mr. McKeough: As soon as this can be worked out with the local members and the local people.

Mr. Cassidy: A supplementary: Would the minister give a commitment to the House that work on the dam will be postponed until there is opportunity for the local people to have full evaluation of all the reports and so on about alternatives in controlling erosion on the Madawaska River?

Mr. Havrot: That's in the member's own backyard.

Hon. Mr. McKeough: I will make no such commitment.

Mr. Speaker: The hon. member for Kitchener is next.

Mr. R. F. Nixon: Mr. Speaker, a supplementary.

Mr. Speaker: All right.

Mr. R. F. Nixon: Will the hon. minister undertake to provide information to the local residents as to why the cost of the facility has escalated so considerably, and in fact its energy output is considerably less than was first envisaged?

Hon. Mr. McKeough: I think those questions were answered on the order paper, Mr. Speaker.

Mr. Cassidy: The answer is not in yet, Mr. Speaker.

Mr. Speaker: The hon. member for Kitchener.

GRANTS TO ZOOLOGICAL SOCIETIES

Mr. Breithaupt: Mr. Speaker, a question of the Minister of Industry and Tourism. With respect to the Ontario Zoological and Botanical Park, can the minister advise if it is correct that there is no governmental policy at the present time on provincial grants to non-profit zoological societies; and in light of the particular tourist attraction of this area, does the minister have anything to offer with respect to the requirement for approximately $75,000 by this organization in order that this zoological facility can be maintained in the Wasaga area?

Hon. Mr. Bennett: Mr. Speaker, first of all, the Ministry of Industry and Tourism, through its development corporation, does not have any further grants. We have loan programmes for tourist operations in the province.

Mr. Sargent: That's not very much, you know.

Hon. Mr. Bennett: We have indicated very clearly to the principals of the organization that the member has spoken of, that if they wish a grant, then it would come under Colleges and Universities and that they should make application to that ministry. I believe they have made application, but whether they have been able to back it up with all the facts and figures that are needed I am not sure; but it does not fall under the Ministry of Industry and Tourism as would a museum.

Mr. Sargent: How about soccer teams?

Mr. Speaker: I am sorry, time for oral questions, during the extended period, has expired.

Petitions.

Presenting reports.

Mr. McIlveen: Mr. Speaker, I beg leave to present the second interim report of the select committee on the utilization of educational facilities.

I would like to introduce three members of my staff in the east gallery: Anita Leung, Barbara Coulas and Katherine Bladen, our research director.

In tabling this report today, I regret that there are only a limited number of copies available. I have chosen, nevertheless Mr. Speaker, to take advantage of the fact that the House is still in session to table the committee's second interim report, which deals with the question of the year-round use of educational facilities and the institution of year-round educational programmes.

The report is presently being printed, and copies will be distributed to the hon. members and to the members of the general public in the very near future.

As chairman, I wish to take this opportunity to express once again my satisfaction with the sincere efforts and the generous support of my hon. colleagues in the preparation of this report and the continuing work of the committee.

Mr. F. Laughren (Nickel Belt): Does the hon. member mean that?

Mr. McIlveen: That means the hon. member for Nickel Belt.

In this second interim report, the committee has examined some of the issues involved in moving toward utilization of Ontario's educational facilities on a year-round and a full-time basis; that is, on the basis of 12 months a year, seven days a week, 24 hours a day.

We have found that while there are some summer educational programmes at each of the various phases in education, the idea of education as a continuing and lifelong process has not yet been given full credence by the majority of our educational institutions in Ontario.

Education, through the legislation and regulations governing it and through the financial arrangements that presently exist for its support, is still by and large defined as something that begins in September and ends in June.

In addition, we have found that the question of year-round use of educational facilities and the institution of year-round educational programmes have not really been brought to public discussion. The decisions affecting these issues have remained almost entirely in the hands of the administrators of education.

The committee has attempted, therefore, to set out the main considerations that seem to be involved in the hope that we can begin to stimulate widespread public discussion on year-round opportunities for education.

In this report, Mr. Speaker, we have made eight recommendations that relate to the question of year-round use and year-round programmes. The first three of these recommendations relate to the need for change in the provincial grant system which helps to support the operation of schools in Ontario. These recommendations reiterate and expand the first recommendation of the committee's first interim report.

Our fourth recommendation also repeats a recommendation of our first report. This relates to the adoption of a system of community education by the government of Ontario as the most appropriate context for any discussion or implementation of both community use and year-round use of educational facilities.

The remaining recommendations in this report relate to the basis for making decisions about the institution of year-round educational programmes. The committee continues to see local community involvement in the decision-making process to be the major need in Ontario. This will be particularly true in trying to achieve year-round educational programmes, a development which will affect all segments of the community. Recent changes in our school system which involve modifications to the length and organization of the school year seem to us to provide an excellent opportunity for development of local community involvement.

Schools in Ontario now set aside a number of days throughout the year as "professional activity days," days during which evaluation, parent and student counselling, curriculum development and staff development may take place. We have suggested that these days should be redesignated as "professional and community days" and that a local community should be directly involved in both the designation and the implementation of these days as part of the process of planning and organization of the school year for their community.

I am sure, Mr. Speaker, that many of the hon. members will recognize that the committee has continued the themes of our first interim report. May I say in closing that we have been gratified and excited by the interest that has been shown in that report by a wide variety of individuals and organizations across the province. We hope this second interim report will continue to sustain that interest and that many people will find it worthwhile to communicate their reactions to both this and our first report. Thank you, Mr. Speaker.

Mr. Speaker: Motions.

Introduction of bills.

Orders of the day.

Clerk of the House: The 20th order, House in committee of the whole.

PLANNING ACT
(*concluded*)

On section 10:

Mr. Chairman: When we rose at noon, we were awaiting a revised amendment. Has that been prepared yet? If not, we will carry on with discussion of the rest of the bill.

Mr. D. R. Irvine (Grenville-Dundas): Mr. Chairman, at the request of the hon. member for Downsview, we endeavoured to clarify the wording we have in section 10. He referred to section 22 of the Planning Act in regard to redevelopment. His concern, if I understood it correctly, was that redevelopment should be more fully defined in this particular Act. Well, we had considerable trouble, and I have a suggested amendment which I am willing to move, but I don't really feel that it does as much as the member may want. However, it may provide some clarification.

Mr. Irvine moves that section 35a of the Act, as set out in section 10 of the bill, be amended by adding thereto the following subsection:

(1) (a) In this section redevelopment means the removal of buildings or structures from land and the construction or erection of other buildings or structures thereon.

Mr. V. M. Singer (Downsview): It's much closer with that subsection in it. I'll go along with it.

Mr. Chairman: Shall this motion carry?

Mr. M. Cassidy (Ottawa Centre): Just to comment on that, Mr. Chairman—

Mr. E. R. Good (Waterloo North): Mr. Chairman, the parliamentary assistant is probably aware a great many buildings have been removed from land in the past few years, because the situation, as a result of the freezing of assessments, has made it quite profitable to remove buildings from land and let the land depreciate in value while it sits vacant, and consequently draws a very small tax revenue to the municipality. Would those lands from which buildings have been removed, say, two, three or four years ago, when they become the sites of new structures, then be considered to be part of a plan that would require redevelopment agreements such as this, even if the buildings had been removed at a prior date?

Mr. Irvine: Yes Mr. Chairman. I think we have to go back to the fact that it's the municipality itself that determines this by bylaw. What we're talking about in this particular section is site control. I say yes in the first instance.

Mr. Chairman: The member for Ottawa Centre.

Mr. Cassidy: Mr. Chairman, if I could go through the various pieces; where you have a parking lot, which is a transitional use right now, and then it is to be developed, that would be, I believe, covered under the word "development." Is that correct? I see Mr. Bain and the assistant nodding their heads.

When you refer to removal of buildings, I presume you mean whether you truck them across the street, as they did with that little old building down by the Manufacturers' Life, or the demolition of them.

Mr. J. R. Breithaupt (Kitchener): Canada Life.

Mr. Cassidy: Canada Life, yes. Is that correct?

Mr. Irvine: It could be.

Mr. Cassidy: The third question is, and I think the member for Waterloo North was asking this possibly, what happens where you have the removal of a building in order to prepare for a transitional use, with the ultimate intention of development? Do site control requirements apply in that case according to the intent of this amendment or not?

Mr. Irvine: I'm sorry, I don't understand the question, Mr. Chaiarman.

Mr. Cassidy: Let me put these facts before you. Let's assume you're a developer, after all, your party moves around with those people. You acquire a building from somebody and you decide it's more profitable to kick out the dentist and the flower shop and so forth, that are in the building, tear the building down and use it for parking. You intend to redevelop that property and put an apartment block or an office building on it,

but you judge that the conditions aren't ripe yet and you want to wait for three or four years to see what the market's going to look like. You have an intention to redevelop the site, but you do it in two stages rather the one stage of tearing it down and immediately beginning to rebuild. Would the first step of that, the removal of the building, be subject to these particular provisions or not?

Mr. Irvine: No.

Mr. Cassidy: I just say, Mr. Chairman, that while I welcome the amendment, which I think probably meets the point that was made by the member for Downsview, I regret the very narrow ambit which is covered by it according to the interpretations given by the parliamentary assistant.

Motion agreed to.

Mr. Chairman: The member for Downsview.

Mr. Singer: Mr. Chairman, going back—not going back really, I suppose progressing in the normal way—section 35a (1) 1 deals with widening of highways that abut on the land that is being developed or redeveloped. It is not clear to me whether the regulation and use of that facility is to be without cost. What it really means is that the municipality can ask for land for widening: Is it to be without cost or is to be with compensation? Is there to be a limit on it or is there not to be a limit on it?

Again in my desire to seek some legislative language which hopefully will avoid litigation, I draw the parliamentary assistant's attention to subsection 7 in the same section, where it talks about easements, and conveyance to the municipality, without cost, of easements. Now that is logical and that is understandable.

Let's go back to highways. Does it mean conveyance for widening without cost or with cost and to what extent? For instance a greedy municipality could take unlimited area in the name of a highway widening. Suppose there is an abutting narrow road allowance and the municipality in its wisdom says, "We want 200 feet across your frontage, give it to us; and give it to us for free or we won't approve"?

I think that section should be clarified and in an attempt to clarify it I have drafted this amendment, Mr. Chairman.

Mr. Singer moves that section 10 of the bill dealing with section 35a (1) 1 of the Act be amended by adding after the word "redeveloped" the words, "providing that if the municipality requires that the widened highway be more than 66 ft for any such widening it shall pay to the owner thereof the market value of any such excess."

Mr. Singer: Now the reason I have chosen 66 ft, and again this is subject to whatever modification may be appropriate, the theme I have chosen there is this: If there is an abutting highway that is less than 66 ft, it is not illogical to suggest that the applicant owner bring it up to 66 ft and give that much to the municipality free of cost; but if the municipality wants more than is necessary to widen that boundary highway beyond the 66 ft, then I think the owner should have compensation at the current market cost.

I think there should be limits. I think there should be a definition as to how much they should take, and I think the subsection should spell out the extent to which the owner is compelled to give up land for highways free, or the extent to which he is going to get compensation.

Mr. Cassidy: Mr. Chairman, we can't support this particular amendment. It seems to me that often the situation that arises is that the widening of the highway is in fact partially or even completely consequential of the added traffic that is generated by the redevelopment of this particular property, or for that matter by the development of this particular property. That is, if you assume that in some cases under these site control powers all the municipality will be covered by site control bylaws, and if out in some section of the suburbs a major apartment-commercial complex is built and regulated by this particular development control provision, that happens to come within the zoning, it may well be that 66 ft is inadequate, particularly when you take suburban roads which tend to be on wider rights of way than downtown roads.

On the other hand, it's clear that if you, say go downtown in Toronto or in Ottawa and the municipality were to insist on the 200-ft right-of-way for roadworks and on getting that from the developer, the developer could indicate pretty clearly that he was being discriminated against and was being unfairly treated.

Since there are appeal proceedings available to the Municipal Board in a case where a developer disagrees with an agreement which he is required to sign as part of the development control procedure, or the site control procedure, then in the first instance the Municipal Board, for whatever it's worth,

will be able to judge on the reasonableness of the requirements being made of the developer.

It seems to me that the danger in having this intercession by the Municipal Board is quite contrary to what the member for Downsview has suggested. That is, we may find the Municipal Board insisting that the municipality pay for every foot of wider road allowance that it gets from the developer. I find that position just as intolerable as either the member for Downsview or myself would find a demand by the municipality for a 200 ft road allowance in a downtown urban situation, for that is clearly inappropriate.

But until we have evidence that the Municipal Board is not successfully resolving this kind of dispute in a manner that does appear to be fair and reasonable, both to the developer and to the public, until we have that evidence, it seems to me this particular rather restrictive amendment should not be inserted into the Act.

Mr. Irvine: Mr. Chairman, I fully agree that I cannot accept this amendment, either. The owner can appeal to the OMB, as you mentioned, and I feel that it is not necessary at this time.

Mr. Singer: Well, Mr. Chairman, I think that in a desire to write a good statute one would expect that one would be able to find within the four walls of the statute provisions that make it clear what the rights of the parties are; and the parties in this kind of a statute are the applicant, or developer, and the municipality.

I think you are just begging for trouble when you say in section 7 that the conveyance of easements for services is without cost. I'm not quarreling with that; I say that's a good and appropriate thing and any intelligent municipal council will ask for that. But you leave the question just dangling in the air in item (1), as to whether it's with cost or without cost.

I say that if you are going to take 200 ft away from a particular applicant and the municipality is going to argue that it be without cost, then the developer is going to say: "Well, you're taking a substantial portion of my land away. You're hurting my development"—that he's really being penalized unfairly.

If it's the decision of the Legislature that he should be so penalized, then put in the words "without cost" and make it unlimited. The suggestion put forward by the member for Ottawa Centre is a rather ludicrous one. He has an answer for all these problems: If they can't agree then let's all trot off to the Municipal Board. And if the Municipal Board fails, then we trot on to the cabinet council and we appeal to them.

I think we should try as best we can to write our statute so there wouldn't be appeals, and so that when a power is being exercised, in this case by a municipality, the boundaries of that power are clearly spelled out.

So I suggest to you, whether or not you find my 66-ft limit a valid one, put in the words "with cost" or "without cost." I may or may not agree with you, but put them in. And put some kind of a limit on how much land—if it's going to be without cost—how much land can be taken, up to a maximum.

I think you should try to design these statutes so that as many things as possible can be spelled out and people will know their rights; and that's the reason for this amendment.

I'm not wedded to the 66-ft limit. You can make it wider if you want. But the danger of making it wider is that if you put a figure into the statute, then every municipality is automatically going to take the extra piece of land whether they need it or not.

I think there's got to be some fairness, and I think it is only going to be reasonable that a person making an application for this kind of use of land is able to have some idea, in advance of his proceeding to the municipal council, that his rights are spelled out. Let's spell them out to the extent that we can within this statute.

Mr. Chairman: Those in favour of Mr. Singer's motion will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

Mr. Singer: Stack that one.

Mr. Chairman: Stacked.

Now, which other section please.

Mr. Cassidy: Still on 35a(1), Mr. Chairman; the first part of section 10 of the bill. The parliamentary assistant and I discussed privately a minor amendment relating to paragraph 4 on walkways, and I thought he agreed to move it himself. Is that his intention or would he like me to move it?

Mr. Irvine: Mr. Chairman, the member for Ottawa Centre did speak to me about paragraph 4, walkways, and he has suggested certain changes in the legislation as it is

presently written. I would like the member to clarify for me why he thinks it necessary to have a change in 4. I have another amendment which I will bring forth for 12, but I would like the member first of all to explain the reasons why he thinks it is necessary.

Mr. Cassidy: By all means. The proposal that I made to the parliamentary assistant, Mr. Chairman, was to amend the word "walkways" in item 4 of that list to the words "walkways and all other means of pedestrian access." The reason for that was simply that I didn't find the word "walkways" was adequate, and in consulting other legislation, I think I can get one or two examples here—I'll have to search it out; I hadn't quite prepared for this because I thought the assistant was simply going to accept it.

But I have in mind, and I mentioned it when I spoke on first and second reading of the bill, that in the case say of the Eaton Fairview Centre, between Yonge St. and Bay St. in the city of Toronto, one of the items of negotiation between the developer and the municipality was in fact pedestrian access into retail stores and into the shopping mall that is to be built internally in that particular development. The city argued very strongly, and I think rightly, that Yonge St. should not be turned into a dead sort of canyon—that the entire development should not be turned inside but that there should be stores on Yonge St. in addition to quite a large number of pedestrian access points into the internal mall.

Therefore there would be two forms of pedestrian access into that particular development. In the one case, instead of having, for the sake of argument four entry points into the pedestrian mall, they wanted to have eight or nine over the course of 1,000 ft or so of that development, so that people could sort of spill out on Yonge St. and so that the kind of close-knit texture of the opposite side of the street would not be interfered with by creating hot-spots every 300 or 400 ft, with dead spaces in between.

I hope that the assistant understands what I mean. The more points of access there were to get into the shopping mall, which is obviously going to be quite a draw for pedestrians, the more you would help to maintain life along Yonge St. The more pedestrian entrances there were to the shops along the Yonge St. frontage in that particular development, similarly the more life there would be on Yonge St. There is quite a concern in this city of Toronto about maintaining the special character of Yonge St., which is a unique kind of street in this particular municipality.

Have I convinced you?

Mr. Irvine: I think, Mr. Chairman, we now have an understanding as to what the hon. member wished to have included.

Mr. Irvine moves that subsection 35a(1)4 of section 10 of Bill 264 be amended to read in paragraph 4, "walkways and all other means of pedestrian access."

Mr. Singer: Walkways and what?

Mr. Irvine: All other means of pedestrian access.

Mr. Singer: That makes us feel much more confident.

Mr. Chairman: Shall the motion carry?

Motion agreed to.

Mr. Cassidy: Through you, Mr. Chairman, I would like to thank the assistant for agreeing to that particular amendment. I have another that I'm equally hopeful about, Mr. Chairman.

Mr. J. E. Stokes (Thunder Bay): Don't sound so convincing.

Mr. Cassidy: There is a certain gulf in principle about this one, Mr. Chairman.

Mr. Irvine: I think the member for Downsview said: "Don't hold your breath."

Mr. Cassidy: I am sorry, I can't find the copy now.

Mr. Singer: Don't hold your breath.

Mr. Cassidy: Just before the break I read this proposed amendment into the record, and—

Mr. Singer: Before we get to that, can we not proceed sort of logically down until we come to the end of section 35b? You are calling this section 35c.

Mr. Cassidy: I am sorry. Mine is a new section 35b. Do you have anything else on section 35a?

Mr. Singer: You called this section 35c in the copy you gave me. It says there will be a new section 35c. Is that what you are talking about?

Mr. Cassidy: I am not sure about the subsection number. I may have made a mistake

with that. However, if you have a prior point, by all means raise it while I—

Mr. Singer: I wanted to move an amendment to paragraph 12, I believe it is, since the minister has added a new paragraph—

Mr. Chairman: We haven't added it yet.

Mr. Singer: Well, that's why I am a little confused as to where the member for Ottawa Centre wants his amendment to be included.

Mr. Chairman: Well, if it's section 35c it would come at the end.

Mr. Singer: We are a long way away from that because we are in the middle of section 35b.

Mr. Cassidy: Actually we are still on section 35a.

Mr. Irvine: Section 35a(1)4 was the amendment for walkways.

Mr. Chairman: Yes, that's done.

Mr. Irvine: That's done. All right.

Mr. Singer: I want to get to paragraph 12 before we—

Mr. Chairman: Yes, we have new paragraphs 11 and 12. We should deal with sections 35a(1)5, 6, 7, 8 and so on. I have an amendment to paragraph 12.

Mr. Irvine: I agree with the member for Downsview that—

Mr. Chairman: Anything before paragraph 11?

Mr. Singer: You talked about section 35c.

Mr. Cassidy: I have been impelled to my feet by the member for Lakeshore, Mr. Chairman, and quite frankly I am trying to find out why I am meant to be here.

Mr. P. D. Lawlor (Lakeshore): Isn't this an amendment here?

Mr. Cassidy: No, no.

Mr. Irvine: Why don't I move this amendment?

Mr. Cassidy: Yours is on paragraph 11 and 12 of 35a(1). Is that correct?

Mr. Irvine: That is right.

Mr. Irvine moves that section 35a of the Act, as set out in section 10 of the bill, be amended by adding thereto the following subsection:

1(b) Nothing in paragraph 12 of subsection 1 shall be deemed to confer on the council of the municipality power to limit the height of buildings to be erected on the land.

Mr. Singer: I am lost again. Have you moved your amendments to paragraphs 11 and 12 yet?

Mrs. M. Campbell (St. George): What a way to do a bill.

Mr. Singer: Are you putting it in right at the beginning?

Mr. Irvine: No, right after paragraph 12. We feel it is quite clear at the present time, but some remarks—

Mr. Chairman: Actually, if I may suggest, I don't think we have paragraph 12 in here yet; that's your previous amendment which we should not—this is kind of confusing.

Perhaps you should deal with proposed paragraphs 11 and 12 which the member for Grenville-Dundas placed earlier but which I haven't really placed.

Mr. Irvine moves that paragraph 11 of subsection 1 of section 35a of the Act, as set out in section 10 of the bill, be struck out and the following inserted in lieu thereof:

11. Plans showing the location of all buildings and structures to be erected on the land and the location of the other facilities required by the bylaw.

12. Perspective drawings and plans showing elevations and cross-sections of industrial and commercial buildings and residential buildings containing 25 or more dwelling units.

This was the amendment as discussed earlier.

Mr. Singer: Now, can I talk to your amendment?

Mr. Irvine: Yes.

Mr. Singer: Mr. Chairman, what the assistant moves is what I had in mind, and I had scribbled out an amendment which I will now destroy, but there is one suggestion that I want to make to him. I agree with this provided he puts in the word "or density," because by this elevation control, plan control or site control, I think you could change the density as well as the height.

I would ask if you would be prepared to accept the words: "... shall be deemed to confer on the council of the municipality the power to limit the height or density..."

because the density should be taken care of in their ordinary powers. If you put that in, I will be quite happy with it.

Mr. Irvine: Mr. Chairman, certainly I have no objection to this. This is in effect what I have been saying all along, that we are not dealing with either the height or the density. I agree with that.

Mr. Singer: Fine. Put the word "density" in there, and we're at peace on that one.

Mr. Cassidy: On a point of order, Mr. Chairman, I thought we were discussing the proposed new paragraphs 11 and 12 under subsection 1 of that—

Mr. Chairman: That's right, the words "or density" come in this other one which we are holding in abeyance for just a few minutes.

Mr. Cassidy: Yes, now I realize the procedure we are going through; that clarification was required by the member for Downsview. I don't agree with it but within the ambit of what the minister is trying to do, or the assistant is trying to do, I suppose it's okay.

The new section 12, Mr. Chairman, is really very unclear. It states: "Perspective drawings and plans showing building elevations and cross-sections of industrial and commercial buildings and residential buildings containing 25 or more dwelling units."

Let me ask one question first. Before lunch the assistant indicated that he thought these height control provisions should not apply to residential buildings containing 24 or fewer dwelling units. In other words, the whole package of 12 requirements should not apply to residential buildings with fewer than 24 units. Was that his intention or has he changed his mind on that?

Mr. Irvine: Mr. Chairman, I want to clarify what I thought was being discussed; I couldn't hear it as plainly as I would have liked to.

I have spoken since to the member for Prince Edward-Lennox (Mr. Taylor) in regard to what he was talking about. Specifically, the conditions 1 to 12, plus the addition of the amendment we put through, deals with any and all buildings. The plans and perspective drawings only apply to commercial and industrial buildings and residential buildings of 25 or more dwelling units. We say that the council members are the only ones who can determine what conditions will be put on a single permanent dwelling or a multiple dwelling. I think that's where it has to remain, in the hands of the council and the particular owner of the land who wishes to develop it.

We are not going to put through any further legislation at this particular time, or any other clarifications. I believe it is quite plain, as far as we are concerned anyway, as to what the councils can do and what the councils will do. It is up to them in regard to their own bylaws which they must enforce.

Mr. Cassidy: Thank you, Mr. Chairman. In other words what the assistant is saying is that it is up to a council. If it decides to exempt anything up to a four-plex, for example, it could simply write that into the bylaw, but this is not the intention of the government, is that right?

Mr. Irvine: That is right.

Mr. Cassidy: I am sort of mute about that; you could put something into the Act, but I don't think it's that essential. I am sure most councils are going to exercise that kind of discretion anyway, because we all know it's not that which you are really seeking to drive at with these particular sections.

Mr. Chairman: Is there anything else on this particular amendment?

Mr. Cassidy: Yes, on 12, Mr. Chairman, on the amendment; I am trying to draw up an amendment to the amendment. Let me put it to the parliamentary assistant first, though. My understanding is that when you have perspective drawings and plans showing building elevations and cross-sections of industrial, commercial and larger residential buildings, this means that the—this is rather ambiguous. The mass of the building must surely be involved because you are looking at cross-sections. Is that correct?

Mr. Irvine: Yes, you see a wall or you see windows or whatever you may have on the drawing.

Mr. Cassidy: Okay. It must also be within the discretion of the municipality, where you have a development which has more than one building, to recommend a relocation of the various elements in that complex in order, say, to alleviate wind tunnel effects or improve daylighting of a public park or something like that. Is that correct?

Mr. Irvine: Yes, that is correct.

Mr. Cassidy: Can you say it for the record, Mr. Chairman?

Mr. Irvine: That is correct; that is on the site.

Mr. Cassidy: That is correct, okay. The next question, we went through this yesterday, is suppose, for the sake of argument, that the developer wants a tall, slim slab and the municipality, for reasons of compatability with adjoining buildings or for reasons of daylighting, or for other reasons, would prefer to have a short, squat block with the same density.

I thought the assistant's answer yesterday indicated that this flexibility was open to the municipality. However, the new amendment which we will consider after this one seems to indicate that the municipality can under no circumstances insist that the height of the development be reduced, even if density is maintained.

Mr. Irvine: No. The member is entirely wrong. The municipality can, if they wish, pass a bylaw—

Mr. Singer: A zoning bylaw.

Mr. Irvine: —a zoning bylaw for height and for density; but it is entirely up to the particular municipality to do this. It is not for this Legislature to implement legislation to do this; and we are not prepared to do so. As I say, there is no further change.

Mr. Singer: None at all. That's right.

Mr. Cassidy: I put the case to the assistant. I sense that he is digging his heels in on this one. It's 4 o'clock and he has had enough and he has got some orders from the House leader to get the damn thing through.

Mr. Irvine: No, take that back.

Mr. Cassidy: No? All right, I'll take that back then.

Mr. Chairman, this is the kind of rather complicated technical issue which, of course, ought to be discussed in committee rather than in this place. I address my comments partly through you, Mr. Chairman, and through the assistant to one or two of the officials who are back there.

I can put a case to you of the kind I just described where the developer comes in and with the existing zoning, which has got no height control provisions in it, and produces a plan for a tall, slim building; but the collective judgement of the planning staff, maybe the planning board and the council itself, all indicates that a shorter, squatter building would be more compatible with the environment in that particular area. And being a God-fearing council that believes in developers, they have no intention of reducing the density that is supposed to be allowed. In other words, each floor is bigger in square footage because they wish to reduce the height.

Now, let's suppose also, for the sake of argument, that this particular building is on the western side of a public square and that because of the height of it, it will overshadow that square; but the height proposed is quite appropriate in most of the adjoining lots that might be subject to redevelopment.

It is fair to argue that the municipality might have anticipated that with a particular zoning bylaw in advance. At the same time, it is equally fair to argue that it is very difficult for the municipality to go to that precision in its zoning bylaw in advance.

For that matter, it may even be that as far as the municipality is concerned, shall we say that a round building placed at the back of the site and of the height proposed by the developer for his slab, would be appropriate; but because of costs—that kind of building costs extra money—it simply is not acceptable to the developer.

So you get into this kind of delicate negotiating situation where the municipality would really like to have a different kind of building, where the costs of the two were relatively equal, but where the developer sticks his heels in and says: "Look, I'm sorry. I want a tall building and I don't give a damn about the day lighting in that particular public square; even though I can see what you mean, that my building, of all the lots on that square, is going to affect the sunlight getting into that particular small piece of parkland."

That is the situation that I put before the parliamentary assistant. Now according to the amendment we will have in a minute or two, the municipality cannot insist that in that particular case, because of the particular circumstances that surround that particular lot, the height be reduced with no reduction in density.

I am suggesting, though, that as part of the site plan control, if they can move buildings around on the site, if they can affect the siting of a particular proposed building on a piece of land, and if they can do these other things, then what I've suggested is equally fair and ought to be provided for in the legislation.

Mr. Irvine: Mr. Chairman, I am going to say I am not prepared to accept any further amendments to section 10. I don't agree with

the philosophy which has been coming forth from the hon. member for Ottawa Centre for the last 15 minutes or so. I have told you before I wasn't going to accept it and I tell you again.

Mr. Cassidy: I want to make it clear, Mr. Chairman, I am not talking about a generalized type of control which the assistant says ought to be covered according to the zoning bylaws. Okay, I accept that. I am talking about a form of design control in a particular location which is very closely related to site plan control. Site planning control is provided for in this particular section of the Act.

Clearly we are not going to get anywhere on that, Mr. Chairman. I simply regret that kind of inflexibility, and I predict there will be situations whereby municipalities will come back to the minister and tell him that because he and the government failed to give that kind of flexibility in this particular part of the Act they had their hands tied to a point when they wanted something to be done.

Moreover, what will happen, Mr. Chairman, is they will stick their heels in on some other aspects of this site planning control in order to do indirectly what they should have been given powers to do directly.

The other point I wanted to raise with the assistant was this: Does the phrase "perspective drawings and plans showing building elevations and cross-sections of industrial and commercial buildings," mean that the municipalities may exercise design control through paragraph 12?

Mr. Irvine: Would you please clarify what you mean by design control?

Mr. Cassidy: Let me read a section from the Winnipeg Act. The Winnipeg Act refers to the siting and design, including exterior materials of the proposed building or structure. We have a design control bylaw in the city of Ottawa. It is the only general one in the province right now, and in effect the authority of the design control committee in Ottawa goes skin deep. The structure of the building is not its concern; it is what the building looks like where it overlooks major roads or federal government property. Is that power included here in paragraph 12?

Mr. Irvine: I would say that power is within that particular section.

Mr. Cassidy: I see. Would the assistant accept an amendment which makes it specifically included?

Mr. Irvine: No.

Mr. Cassidy: Why not?

Mr. Irvine: I think it is perfectly clear, Mr. Chairman, as to what is needed in this particular section for site control. I don't like to keep repeating myself but apparently I have to. I have told the hon. member for Ottawa Centre that we have gone as far as necessary to clarify any portion of this Act which is not as clear as he may wish. I am not adding any other amendments at this time.

Mr. Chairman: Shall this—

Mr. Cassidy: I have an amendment here, Mr. Chairman, which I am just writing out, that paragraph 12 of subsection 1 of section 35(a) of the bill, as set out in section 10 of the bill, be amended by inserting the words—

Mr. Chairman: Before we can amend this section we have to have this section, and that is included in the parliamentary assistant's amendment. We should place that first before we can start amending it.

Shall Mr. Irvine's first amendment pass? That is for a new 11 and an extra 12. The old 11 was deleted and the new 11 substituted therefor and a new 12 added. That is the one we are dealing with.

Amendment agreed to.

Mr. Chairman: This is the one for which the hon. member for Ottawa Centre is preparing an amendment.

Mr. Cassidy: I am just writing it out here, Mr. Chairman.

Mr. Chairman: Do we understand it?

Mr. Cassidy: I am sorry—

Mr. Breithaupt: Perhaps, Mr. Chairman, you could place 12(b) while we are waiting for the member for Ottawa Centre.

Mr. Chairman: Yes, we could do that. This doesn't interfere with the amendment being prepared?

Mr. Breithaupt: No.

Mr. Chairman: Mr. Irvine had also moved that section 35(a) of the Act as set out in section 10 of the bill be amended by adding thereto the following subsection 1(b):

> Nothing in paragraph 12 of subsection (1) shall be deemed to confer on the council of the municipality power to limit the height [and the words "or density" were added and I believe agreed to] of the building to be erected on the land.

Shall this motion carry?

Those in favour of Mr. Irvine's motion, will please say "aye."

Those opposed, will please say "nay."

In my opinion the "ayes" have it.

Motion agreed to.

Mr. Cassidy: We'll stack this vote.

Mr. Chairman: I haven't seen five people stand up yet.

Mr. Singer: We're not standing.

Mr. R. Haggerty (Welland South): Is it four or five?

Mr. Singer: Five.

Mr. Chairman: You need five.

Mr. Cassidy: Just for clarification, Mr. Chairman, the reason we voted against that new subsection 12(b) was specifically because of a dispute we had over height, on which the parliamentary assistant refused to give ground. That's the reason we voted on it. I didn't really come to grips with the wider question as to whether, under this particular site control legislation, density and height overall should be included. I'll have an amendment in a few minutes which relates to development control overall that would affect density as well.

Mr. Cassidy moves that paragraph 12 of subsection (1) of section 35a of the Act as set out in section 10 of the bill be amended by adding after the word "cross-sections" the words "and design, including exterior materials of the proposed building or structure."

Mr. Cassidy: That would make it read:

> Perspective drawings and plans showing building elevations and cross-sections and design, including exterior materials of the proposed building or structure of industrial and commercial buildings and residential buildings containing 25 or more dwelling units.

We can probably go to a vote pretty quickly on that, Mr. Chairman. The assistant is being inflexible in this particular issue, so we give him one more chance. I'm willing to take a revision of that wording because I'm not very happy with it.

Mr. Breithaupt: This is the last chance.

Mr. Singer: Yes, sir. Be careful, you've just one more chance.

Mr. Cassidy: If he says in this House on the record that this section means design control, then I think it should be spelled out specifically in the Act.

Mrs. Campbell: Mr. Chairman, for clarification of this last amendment. I wonder if the author of the amendment has had any discussion with the municipal people, certainly of the city. Because one of the problems was that we did have this type of control, and so far as I know still have it on University Ave., which in my view and the view of a lot of people at the municipal level, turned out the most sterile street we could find anywhere in Canada probably.

I just wonder if he's discussed this with them.

Mr. Cassidy: Mr. Chairman, we have design control in Ottawa, too, and sometimes it works well and sometimes it doesn't. But it's not the fact of having design control, it's simply the fact that the people in the city of Toronto were working on antiquated thinking and they botched up the job. They wanted to create a Champs Elysée of some sort and they did a disastrous job, I quite agree. But that wasn't because they had design control, it was because it was badly used.

Interjections by hon members.

Mr. Chairman: Those in favour of Mr. Cassidy's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the nays have it.

Mr. Cassidy: Okay, we'll stack that one as well, Mr. Chairman.

Mr. Chairman: No, there is nothing to stack at this point. I declare the motion lost.

Mr. Cassidy: I thought we were going to be civilized about this, Mr. Chairman. There are five of us in the House.

Mr. Chairman: I'm going according to the rules, I assure you.

This will be stacked then.

Mr. Breithaupt: The member for Thunder Bay needs the exercise.

Mr. Chairman: Is there anything before Mr. Cassidy's second motion which he had discussed earlier?

Mr. D. M. Deacon (York Centre): Subsection 35b(1).

Mr. Chairman: Subsection 35b(1), all right.

Mr. Deacon: Mr. Chairman, I'm concerned about the restriction we've had as to when municipalities can require a certain amount of land to be set aside for park purposes. There are examples all over the world of where cities have decided that, for one reason or another, they will allow a higher density, but in doing so they want to have deeded to them substantially more than five per cent of the land that's restricted by our legislation to be deeded to the municipality.

I think one of the most attractive towns I've ever been in my life is Zeist, in Holland, where some 25 per cent of the town is set aside for park purposes. There are various types of parks; some are natural bush, some of them are good recreational playing fields, others are little parkettes, others are formal gardens. But they have various types of parks, and wherever they've carried out development they have taken into account the density of the development and what would be required in the way of open space, per capita, to be available for the people. With that in mind, I have an amendment I should like to place at this time.

Mr. Deacon moves that section 10, subsection 35b(1) be amended by deletion of the words, "for residential purposes" in the second line, and also the words, "in an amount not exceeding five per cent of the land" in lines five and six; and the words "part of the" be inserted before the word "lands" in line five.

Mr. Deacon: So that the 35b(1) will now read:

> As a condition of development or redevelopment of land, the council of a municipality may, be bylaw applicable to the whole municipality or to any defined area or areas thereof, require that part of the land proposed for development or redevelopment be conveyed to the municipality for park purposes.

This will mean that even though it is commercial development or industrial development, the municipality has the right, by bylaw applicable to all the area affected, to require that a percentage of the land they deem appropriate under the circumstances be made available for park purposes and be deeded for park purposes.

It's quite apparent from development that is taking place in many parts of this province that the five per cent is just not sufficient; it's outmoded in view of the high density of development we have permitted. It's important that there be flexibility available to the municipality.

I hope that the minister will carefully consider this amendment, which would give the municipalities some freedom to use their discretion in the light of the density or the type of development and what's available in the way of open space.

It's well known that one of the major causes of social problems in our communities is the lack of open space. If we were to change this clause we would give the discretion to local councils, in their wisdom; and that, I think, is important. And we would be doing it by bylaw, so there couldn't be the discrimination we are concerned about where the municipality is holding up one particular group and not being reasonable.

I think that we would have room, in this amendment, to be modern, to be up-to-date, to recognize the problems that now exist from lack of open space.

Interjection by an hon. member.

Mr. Deacon: Could the minister respond?

Mr. Cassidy: Mr. Chairman, we will agree with the amendment and support it. I won't make any further comments except that I did have an amendment on the previous subsection 4 of 35a that I hope I can bring in. It's a technical amendment, but I think a useful one. If we can raise that after this one is disposed of.

Mr. Chairman: Does the parliamentary assistant wish to comment on this?

Mr. Irvine: Yes, Mr. Chairman, I would like to respond to the member for York Centre.

I don't find this amendment necessary at this particular time. I would think that the five per cent that has been in force for some while is acceptable to municipalities, and certainly a lack here has not been brought to our attention.

We've had many discussions with municipalities with regard to subdivisions and other developments, and on this particular matter of parkland. Now, you may know of some specific instance where there should be more parklands in a certain area, but I say on overall rule of thumb this is not applicable.

I would think there is some flexibility, I am given to believe, in subsection 3, wherever there is an official plan which incorporates park policies. So I would think as we have it now, we have sufficient parklands being

dedicated. I am not in agreement with the amendment.

Mr. Haggerty: You are not serious about that?

Mr. Irvine: I am not in agreement with the amendment as proposed; which would apply to all lands, as I understand it.

Mr. Haggerty: Mr. Chairman, may I speak on this particular subject—and I endorse the amendment put forth by the member; it's a good amendment. You know, in fact, it costs the government nothing—not one penny—and you can't accept it.

Let's take for example the Queen Elizabeth Way from Niagara Falls to Toronto. Look at the industrial and commercial establishments along the highway. And you come along and you say in this particular bill that if a subdivider or developer wants to put in a subdivision to build homes in the area, that he must dedicate—is it five per cent of the land? You are asking the subdivider to put an extra tax on the homes for park purposes.

Here you can have the industrial complex that is going to be located in the Nanticoke area—I believe Stelco alone has somewhere around 7,000 acres of land, not only for its plant but it is going to build an industrial, commercial park there. Don't you think they are creating a problem for that municipality? Are they not obligated to provide some recreational areas, some green belt in that area? Surely they are going to go in there and destroy acres and acres of bush and land, streams and small creeks. Surely they can dedicate some of that back to the community. In a sense they owe the community something.

Often I hear remarks here about the International Nickel Co. of Canada and other mining industries in the Province of Ontario. Years ago, when they established an industry, they built houses for the people and they built parks in the Province of Ontario.

I can think of this, particularly in the city of Port Colborne where they went out and built homes and dedicated a small area for recreational purposes. These companies felt they had an obligation to the community.

I am sure, in this instance, Stelco, Texaco, and the other steel company there, Dofasco, have some obligation to the community. They just can't come in there and disrupt that whole community and say this is what you are going to have, without providing for the recreational needs for that community. Five per cent is nothing to these multi-national corporations. It is peanuts to them.

I think if you are going to tax the individual person who goes out and buys that property under a subdivision through a developer, who has to provide for recreation. Surely, then, the industrial and commercial complexes in the Province of Ontario must be put in the same category as those in this section 35b. It costs the government nothing, and I think they have an obligation to the community. Particularly when you talk about this area at Nanticoke, right here in the Haldimand-Norfolk regional government area; this could come under a regional plan.

Let's take a look at it for figures. I suppose it amounts to about 50 acres of land. What are they paying for an acre of land up in the Haldimand-Norfolk area right now? It is worth $100,000 for the taxpayer to go out and purchase this property.

Surely this industrial complex has a responsibility to that community. I suggest to the parliamentary assistant that he should give consideration to this amendment. It is one of the best we have put forward today, and it costs the government nothing. Accept it.

Mr. Deacon: Mr. Chairman, the parliamentary assistant indicates there have been no complaints. I can tell you of many developments that have been held up because of this particular problem, working out the problem of the additional parkland that will be required by higher density and the different treatment of streets that would be required. There is a tendency nowadays to say let's have more common space, let's not have these 66-ft rights of way and let's change all this around. This can be all part of this whole focus. That five per cent restriction, that phrase "not exceeding five per cent," is a bind on many municipalities in their bargaining position in this matter.

I say to the minister, if he has confidence in the intelligence and in the integrity of local councils, why tie them down to this antiquated figure of five per cent? What is the reason for not changing it? Why should we not also make it apply to any type of development?

I just can't understand why the minister feels that this legislation would not give greater flexibility and allow greater imagination in the type of development that municipalities can proceed with. I am sure, as this province introduces measures which make it possible for municipalities to permit more development without going bankrupt because of the burden of services, as this province takes on the responsibility of unconditionally funding more people services, there will not be any tendency

on the part of municipalities to hold back development for no good reason. In fact, they will want to encourage it. But I urge the minister to give them the flexibility of any percentage that they deem wise and which the developers are prepared to agree to for park purposes, instead of having it restricted by this antiquated five per cent rule, which was fine in the traditional forms of development some years ago but not today.

We're not thinking today in terms of the small house and the single-family dwelling unit of the old days. We're now thinking of townhouses with 14 or 15 units per acre. Under the minister's formula in clause 3 this still would work out to only one acre for every 12, or about eight per cent. That certainly isn't very much flexibility. Why not? Tell us why the municipality should not be allowed full range in this matter?

Mr. Irvine: Mr. Chairman, I've already said that I don't believe that we are in agreement with the amendment. You have put through an amendment which is a very broad amendment with no restrictions whatsoever—

Mr. Deacon: Nonsense! Give us some reasons. Give us some reasons instead of this sort of thing.

Mr. Irvine: —no restrictions whatsoever on the amount of parkland required. You, I guess, are trying to restrict development though. You might do that, if we leave this very broad statement that any amount of parkland can be acquired. We must also take into consideration the people in the municipality involved in the maintenance of the parks.

I would like you to show me, in writing, where there are municipalities that are disappointed and in disagreement with the five per cent requirement. If you have that, we'll deal with it, but until such time as a municipality writes us and says otherwise, I'm not prepared to deal with it. But I believe they are in agreement with it, regardless of whether you are or not. That's the point.

Mr. Haggerty: Much of that money is now in trust?

Mr. Deacon: Mr. Chairman, is the assistant trying to tell us that a municipality doesn't like having more discretion? Does he mean to say that the municipalities are asking for this restriction of not more than five per cent?

Mr. Irvine: They are quite happy with the restrictions.

Mr. Deacon: I can see them saying that they can't have less than five per cent, because then they can ask for more. But why do we restrict the amount they can ask for? Why shouldn't we enable them, if in their wisdom they wish to ask for 20 per cent, to ask for 20 per cent?

Mr. Irvine: They don't wish it. That's the point. I have already said that.

Mr. Chairman: The member for Ottawa Centre.

Mr. Cassidy: I just want to point out to the assistant that having accepted that a municipality can take up to 50 per cent of land for park purposes—that's the effective intent of this section, because it allows up to one acre for each 120 dwelling units; and where you have any kind of highrise development, you can easily have 120 units to an acre of land, if not more—clearly you're throwing an awful lot of established thinking out the window. This was at the demand of municipalities like Gloucester and so forth that wanted it.

Whether you want to toss the five per cent out the window completely, I'm not sure. But it seems to me that the general point that is being made by the opposition party, that there should also be an increase in the possible parkland requirements levied on subdivision of industrial and commercial land and not just on residential land, makes a lot of good sense. As the assistant knows, that parkland can now be required in industrial subdivisions but the five per cent is ludicrous when you consider the enormous size of some of those developments.

Mr. Chairman: The member for Beaches-Woodbine.

Mr. T. A. Wardle (Beaches-Woodbine): Mr. Chairman, may I ask the parliamentary assistant about the conveyance of land for park purposes? The present wording is ". . . five per cent of the land proposed for development or redevelopment be conveyed to the municipality for park purposes."

I'm wondering, Mr. Chairman, whether in certain cases it would not be more advantageous for a municipality to have an area park rather than a small park in a particular location; there could be a levy that would require money to have an area park rather than a small park in that particular location. Would this particular section eliminate that possibility, or does the assistant think that some wording could be devised that would include an area park if that would be more desirable?

Mr. Irvine: Mr. Chairman, certainly the municipality can accept funds in lieu of the parkland; that's under section 6. They can accept the funds and have an area park.

Mr. Chairman: Those in favour of Mr. Deacon's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Mr. Deacon: Stack it.

Mr. Chairman: We'll stack this along with the others.

Mr. Breithaupt: That's your last chance. You were given one more chance and you blew it.

Mr. Chairman: The member for Ottawa Centre had something, I believe.

Mr. Cassidy: Back to 35a(4), Mr. Chairman.

There is a specific question that some of our people raised when we were consulting and talking about the bill in the limited time available. That is a grave concern that under this subsection (4) a developer could sit down with a municipality, sign an agreement to do certain things under the site control bylaw, and then turn around and decide, in his wisdom, that it wasn't acceptable, and go and appeal the agreement that he had already signed to the Ontario Municipal Board as being unreasonable, or something like that. That, in other words, would permit double dealing on behalf of the developer if he was able to sign and then go ahead and appeal.

It seemed to me the intention clearly was that where the municipality under subsection (b) at the top of the page requires the owner to enter into one or more agreements dealing with the facilities and matters referred to in subsection (1), in the process of negotiation, and if there was an impasse, you would get to the point where the municipality was saying, "Here is the agreement we want you to sign," and the developer was saying, "I don't want to sign that," and then he would go up to the Municipal Board in order to appeal it.

If that is the case then I think we should make it clear that the developer does not have the power to appeal if he, in fact, signs, but has to hold back on those negotiations if he wants to go up to the Municipal Board.

I wonder, therefore, whether the parliamentary assistant would accept an amendment—

Mr. Irvine: He can't appeal something that is signed.

Mr. Singer: I don't think I'd last two minutes before the Municipal Board if I said, "Here is what I signed, but I don't like it."

Mr. Cassidy: The reference is to an agreement, but if he hasn't signed then it isn't an agreement. Do you see the catch?

Mr. Irvine: You said if he signs.

Mr. Cassidy: If he signs, yes. If he signs, it is an agreement. The member for Downsview with his legal training says that no appeal would stand up before the Municipal Board. If he doesn't sign, though, then it isn't an agreement.

Mr. Irvine: Exactly.

Mr. Cassidy: Okay, but the wording of the paragraph beginning at line four says, "where the owner of the land is not satisfied as to the terms of the agreement referred to," but there is no agreement if he hasn't signed.

Mrs. Campbell: It is the terms of the proposed agreement.

Mr. Cassidy: And the word I wanted to insert—thank you, Mrs. Campbell—is "proposed."

Mr. Cassidy moves that section 10 35a(4) of Bill 264 be amended in the fifth line by inserting the word "proposed" before the word "agreement."

Mr. Cassidy: That is a technical amendment; will you accept that?

Mr. Chairman: Shall this motion carry then? It is understood?

Motion agreed to.

Mr. Cassidy: Thank you. Now, the other one is the development control amendment that I proposed before lunch time. I won't read the whole thing through, Mr. Chairman, but I will remind the House that what it does, in the wording that I put forward, is to permit the creation by a municipality of a development control area that can either cover all or part of the municipality; that in those development control areas that development permission would have to be sought for any development and that this would have to be done by the municipality by bylaw; that development meant the carrying on of construction of any sort or any material change in use of structures on the land; that a development commission could be tem-

porary or permanent; and then that there are a number of matters in addition to those covered under subsection (1) of 35a which we have already dealt with at some length, which would be covered under a true form of development control.

The ones I mentioned particularly were the use of the land, the timing, the design, the relationship to transportation facilities and public transportation, demolition or removal of buildings on the site, the bulk and height —which we haven't covered because of the government's decision not to go ahead—the mixture of uses and activities, and specifically this would include residential accommodation, public facilities—

Mr. Irvine: Have we not already had that read into the record?

Mr. Cassidy: Yes, I am summarizing it, though. To continue:

—private open space and retail commercial facilities, shape and size of development site and the preservation of the natural environment, including any mature trees on the site.

Now, Mr. Chairman, the provisions here and the wording are drawn from two or three sources, including the Planning Act amendments we have here before us and the city of Winnipeg Act of 1971 which was granted in the Manitoba Legislature. In legislative form it is ready to go. I would prefer that it were sharpened up by the officials in the ministry.

All I can say before we go to the vote and its inevitable conclusion is that we feel the use of the height control bylaws, as an artificial or ad hoc form of development control, is really inadequate. Even though a review of the Planning Act is being started right now, to delay until that review is completed will mean about three years' lost time. Proper development-control legislation such as I propose could and should be passed by the House at this time and then, in two or three years' time when the Planning Act review is completed, it could if necessary be amended or improved upon.

We would have the experience of it at that time. Several municipalities are ready for it now. If the government wished to accept this it could designate municipalities to which it would give the powers of development control rather than just site control. I simply regret the fact that the government has stuck with legislation that dates from the 1960s and is not prepared to go any further.

Mr. Chairman: Any comments?

Those in favour of Mr. Cassidy's motion will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

Mr. Cassidy: We'll stack that, Mr. Chairman.

Mr. Chairman: Are there any further comments, questions or amendments up to section 16?

Mr. Singer: Section 13, Mr. Chairman.

On section 13:

Mr. Singer: Mr. Chairman, section 14, 44c.

Mr. Cassidy: On 44b, Mr. Chairman, I am sure we can come back to it.

Mr. Chairman: All right. We'll come back to that.

Mr. Singer: All right. I could perhaps deal with 44b too. By way of a general comment, in 44b I wonder whether all of the powers are intended to be given to the council. If they are, I can't find that too abhorrent but where it does begin to concern me is where the council is given power to delegate to an officer.

As I read 44c—I'll concentrate on 44c—there is power now being proposed to be delegated to an officer identified either by name or position in a municipality. That officer is going to be given far-reaching powers to change bylaws, for instance, without reference; the power under section 32 of the Planning Act. There is no compulsion on him to have hearings or to give notices. There is no compulsion on him to consult his own council and we believe that the people are entitled to have the wisdom and the attention of their elected officials.

You are taking this away. You are creating a new breed of local tsar. I don't know who these officials are going to be. Are they going to be the planning directors or are they going to be someone's executive assistant or even someone's brother-in-law? He is going to be able to sit quietly in his own little office and do all of the planning if he has been able to con somebody into giving him this kind of an appointment. Surely that's a negation of the whole democratic process? The member for Grenville-Dundas can shake his head as long as he wants—the principle of this is bad.

We agree with you that power should go back to the municipalities and that is sub-

stantially what you are accomplishing with 44b but then you say to the municipalities, "give it to an official and if we think the general terms of reference are all right, okay, the official can have it."

There are no controls over this official. This official can lock himself up in his private little office and do whatever he wants, insofar as the zoning and planning affairs of the community are concerned, without being answerable to anybody except eventually to the Municipal Board. The individual ratepayer can wake up some morning and find out something has happened to him—if he gets to know of it in time—and then he can have the privilege and the pleasure of trying to find his way through an appeal to the OMB.

That's no—well, the minister shakes his head. What else is the purpose of it? I know many of the planning directors in the Province of Ontario and they are all estimable men. I don't think there is any woman planning director that I am aware of.

Mrs. Campbell: Oh, no!

Mr. Singer: They are all estimable people. I'm quite certain they are going to do what they believe is the right thing but that really is not the test. What they believe surely should only be a recommendation to their councils, to their bosses, the people who hire them. Their councils have bosses too—the people who vote for them and put them in. Most councils will hold public hearings and will send out notices. There is no compulsion.

In that case of—I've forgotten the name of it again; I had it yesterday—the Court of Appeal said there is no compulsion to send out any notices. If that applies to municipal councils, certainly it applies to this official. There you are; you are just hiving off the responsibility for democratic procedures for notice for public debate and opportunity to come and be heard. There is no compulsion that this official hear anybody.

Mr. Irvine: Yes.

Mr. Singer: Where?

Mrs. Campbell: Where?

Mr. Irvine: In the council. The delegated person, whoever it may be, has to go through all the procedures.

Mrs. Campbell: Where does it say that?

Mr. Singer: What I'm trying to tell the member for Grenville-Dundas is the Planning Act doesn't require any hearings at council level. The Court of Appeal has recently said there need be no public notice. That's the law at this moment as we go to press with this Act.

Mr. Cassidy: I thought it said the contrary.

Mr. Singer: The Court of Appeal said the safeguard is the hearings before the Municipal Board and the Municipal Board procedures and that's where the aggrieved ratepayer can go.

I say this is further hiving off the responsibility to make these decisions and negating the control of the council. Once the council has made its decision to a point, it has abandoned all of its rights and privileges that the council has insofar as zoning and planning are concerned. This official in his own little castle can say whatever he wants, and I say it's wrong.

If the council makes a decision that the ratepayers don't like, they can get rid of the council. Certainly they've got the opportunity in most councils I know of to come to their planning board and to come to their council and express publicly their views about what is being proposed affecting their property or their neighbour's property.

This procedure could easily and obviously successfully forestall any kind of citizen participation at the level at which the first decisions, and possibly the basic decisions, are in fact being made. I say that's wrong.

I'm not going to prolong this debate any longer. I just say to you, Mr. Chairman, there is no way we can support section 44c and we will vote against it. I'm not proposing an amendment, I'm saying when you ask for approval of this section perhaps you had better call it by number, unless you want me to move an amendment saying that section 13 be amended by deleting therefrom section 44c. I don't care, but that is our intent.

We don't approve of this section; we think it is wrong in principle; we think you are doing great harm to the democratic process. We would ask you to withdraw it. If 44c is withdrawn, there would have to be an amendment to 44d to coincide with that, where there is a reference to the officer appointed.

I urge the member for Grenville-Dundas to carefully reconsider what in fact he is saying at this time. You deprive the ordinary citizen of a municipality of his right to discuss with his planning board and his council, zoning and planning changes that affect his land. It could be all done privately and it could be all done by a person who is answerable only to the elected council and not answerable to

the voters, by a person who can carry on these proceedings in secret. I say it is wrong, wrong, wrong. Please withdraw it.

Mr. Chairman: The member for Lakeshore.

Mr. Lawlor: To be very brief, the member is very right about this. You have gone too far in your *delegatus non potest delegare* piece of business. It offends the inherent traditions of natural justice in British law and every other high calling or flag that we could wave or pennon we could cling on to. I don't think there is anything more we can really say about it. I think you offend the basic restrictives in McRuer.

They must be more beholding than what you have provided in that particular subsection; even if you put it that it would be referred back to council and had to be reviewed by council. But you can't stick an isolated individual out in the air like that and let him dangle and rule over people's lives in a form of quasi-sovereignty and expect to keep any concept of the fundamentals of democratic ethos alive.

I don't know what possesses you in legislation of this kind. What-on-earth madness seizes upon the members of the government in the last days of the House? It almost invariably happens that this is the kind of time that you bring in legislation which is so distasteful and so disreputable and so offensive to, as I say, the fundamental ethos of this realm that one can't—there's no way of fundamentally amending it.

You shouldn't have brought it in in the first place. You have no sense of the basic decencies in bringing this forward on a platter—and if I were you I'd take it back with a fork.

Mr. Cassidy: Mr. Chairman, I had some discussions with the member for Lakeshore about this particular section beforehand, because I felt that he was being too much of a lawyer and too much of the libertarian and so on; it was being ridiculous, given the fact that ministerial assistants, bureaucrats and so on do this now.

But in fact, having looked at the actual powers which are possibly being delegated to local authorities under this particular section 44, it's clear that the only two important powers that are being delegated are the powers of official plan approval—if that's going in; and I don't know whether it is—and subdivision approval. I agree completely with the member for Lakeshore that the matter of subdivision approvals is too important to be simply left to a local official; somebody in the planning staff.

Now, it's quite possible that the work on the subdivision and negotiations and so on will be carried out between a planner at the municipal level and the developer.

Mr. Singer: As it is in most cases now.

Mr. Cassidy: As it is in most cases right now. All that we are asking here, though, is that before that decision is made, that it go to the council. And the curious thing is that, unlike zoning questions and unlike official plan questions, subdivision questions don't now come before the council. Now they obviously should.

It seems to me that there would be a distinct improvement in the way in which local councils carry out this business if the councils did see and did approve the subdivision agreements before they were enacted. Right now it is an unacceptable kind of delegation and we will join with the other opposition party in opposing this particular subsection.

I am open to a ruling by the chairman. It seems to me that since we agree with 44b, that if we can't have a separate vote on this when we come to the actual vote, then in fact we should have an amendment that 44c be repealed as related to the Act. I would so move in fact, Mr. Chairman, that 44c be deleted from the Act in order that we can make sure that the things that we want to keep in are left in and the things we want to leave out are left out.

Mr. Haggerty: Yes, Mr. Chairman, I would like to speak on section 44c regarding delegating further powers to appointed officials. I am a little bit surprised that the parliamentary assistant would have such a clause put in a bill.

I recall the member for Ottawa Centre on our trip out west dealing with the report of the select committee on Ontario Municipal Board hearings. I remember the incident that happened in the city of Winnipeg. We were supposed to meet a certain delegation from the city planners and assessment commission, and so forth.

We were a little bit surprised that morning, because, lo and behold! the mayor of the city of Metro Winnipeg came in with his solicitor and he was a little bit upset that the committee had requested the representation from the appointed officials instead of the elected representatives. He kind of laid the law down and I thought his points were well made.

I am surprised that the parliamentary assistant hasn't recalled, or cannot recall those remarks. The mayor said that in the final decision of any matter concerning municipal affairs, it should be the elected official that has the final say. I quite agree with this. I think we found this at all the hearings throughout the Province of Ontario. This was the feeling of the citizens, that they wanted local input into it.

But when I look at this clause, I see that you are going to delegate power to a certain officer of the community, and that means he can override the decisions of elected officials. Even Chief Justice McRuer was very strong on this particular point; he said that "too much power is delegated to subordinate legislatures"; in this instance it could be to the appointed officer.

I don't know how many members have read the report of the Ontario Municipal Board select committee—

Mr. Cassidy: That was a good report.

Mr. Haggerty: —but there are some good suggestions in there and I would like to read some of them into the record. One is: "Amendments should be made in the appropriate statute to require all municipalities to involve the public in local decision-making by these means."

If we accept this clause containing the words "appointed officer," I don't think the public is going to have access to any records or, any knowledge of what is going on in a municipality. For example, when the official plan of the regional municipality of Niagara came in, the consultant had slipped in a clause that there would be an airport in West Lincoln. This was against the wishes of many of the people in that community. They knew nothing about it.

The same thing will happen here if these powers are delegated to this officer. He can slip in many things that can be really contentious to a municipality and that deny the public of its rights.

There are some excellent suggestions in that report and, as I said, I am just a little bit shocked that you did not read that report. You were a member of that committee; you should have been reading that report, and apparently you have not.

The most important of all the conclusions in that report is that one little paragraph that deals with planning. He knows from the questions that were fired at the committee dealing with planning not only in the Province of Ontario, but even in communities in western Canada, that many improvements had to be made.

One of the suggestions in the report was that "the Legislature should appoint a committee to undertake a comprehensive review of the planning process in Ontario or the government should provide some alternate method of conducting such a review."

I don't know why you haven't acted on this suggestion, or even the government, to follow up that report and bring in a review of the Planning Act. You brought in one here today, but it is like all the amendments that have been put forward today, and there are not too many on this side of the House who are all that happy with the present bill.

I am sure if you had gone back and consulted with the municipalities, they would have thrown it back in your face and said, "This isn't what we want."

When they find out that you are going to remove some of those powers from them—not only that, when the citizens find out that you are going to take those powers away from them—then there is no hope at all for the citizens of the Province of Ontario. I suggest that you should take this whole bill back and review it.

Mr. Chairman: The member for Waterloo North.

Mr. Good: Thank you, Mr. Chairman. Under section 13, section 44b (2) is the clause that I find most offensive. It should be taken out of the bill. There is no rhyme or reason for extending the delegation of the powers that had been handed from the province back to the municipality; then the municipality relieves itself of the responsibility of having to be the political arm that ultimately must take the responsibility for these powers, which include plans of subdivisions, plans of condominiums, amendments to official plans.

A person who has been dealt with by council feels that council has been accessible; that he has had a hearing. He can go and appear before council if he thinks he hasn't been dealt with fairly. But when this power is delegated to an official—and I would presume in nine times out of 10 this probably would mean the planning director of the region involved—I don't think it is in the interest of good democratic procedure that the people of a region should fear that the planning director is going to become the be-all, the end-all and the say-all of everything that goes on.

This power in the hands of municipal council is good; but it shouldn't be delegated to one person. Surely the parliamentary assistant can see our position on this. I don't think councils should try to eliminate their own responsibility.

We have spoken for as long as I've been here about getting the powers of special purpose bodies, boards and commissions at the municipal level back into the hands of the elected officials. I think that is good and we have supported the government on that. The special purpose powers of boards and commissions have been taken back now in many areas and the power has been given to the elected officials and I think that is where it should be. Citizens have got to feel that the decisions are being made by those whom they have elected and not by a sterile group of civil servants you can't get to and who are untouchable and who are being criticized, maybe unjustly, and looked upon as a form of bureaucracy in the back room that no one can even get to.

Sure, you have your public hearings and you have your involvement of people and all the rest, but when the final decision is made it has got to be made by an elected body and this is what real democracy is all about. It is the people back at the local level. They have to have confidence in their councils not confidence in the planning directors. I think the idea here is wrong. We will vote against the passage of clause 2 in section 13 because the principle is wrong and it doesn't give the power back to the council. You want to bypass the council completely and put it in other hands.

Interjection by an hon. member.

Mr. Good: Certainly the council is going to consult the planning director. It is going to consult the whole planning staff. In the final analysis it is councillors who will have to make the decisions, not a civil servant official who is employed by the council.

Mr. Singer: Mr. Chairman, I did start off the comments on this section and perhaps I was a little remiss in not saying to the hon. member for Grenville-Dundas some of the things that I am afraid of. Let's look at 44b: "The minister may on the request of a municipality by order delegate to the council of such municipality any of the minister's authority under this Act." That is where you start. Then 44c says the council of the municipality "may delegate any of such authority, other than the authority to approve official plans and amendments, to an appointed officer."

Section 32 is one of the examples of the authority of the minister. Look at section 32 of the Planning Act. Section 32 says, "The minister may by order with respect to any land in Ontario exercise any of the powers conferred upon councils by section 35 without the approval of the Municipal Board." I don't imagine that any order will be approved by the minister giving power to a local municipality with respect to any land in Ontario. It will undoubtedly be confined to land in that municipality.

Should the power that the minister now has be given to a municipality under section 32, and should that municipality then delegate it to one of its officers, that officer would be able to exercise any of the powers conferred on council by section 35 without the approval of the Municipal Board. Section 35 is, of course, the key section which provides for the passing of zoning bylaws. If you go to that extreme, and that is what your legislation is about to say, you could have this delegated official who is going to be able to change any zoning without notice, without public hearing and without even a reference to the Municipal Board.

Interjection by an hon. member.

Mr. Singer: That is what he could do. You may say you would never go that far, but that is what the section says. Really, you are enshrining an absolute dictator who is an official of a municipality who could, without notice—the Court of Appeal says you don't need notice—and without the approval of the Municipal Board—section 32 says you don't need the approval of the Municipal Board—do anything under section 35, which is any zoning bylaw that any council now has the capacity to pass. Now, even the remotest chance—

Mr. Irvine: None of this is in 35.

Mr. Singer: No, read 32 again. "The minister may, with respect to any land in Ontario, exercise any of the powers conferred upon council by section 35 without the approval of the Ontario Municipal Board." That is what it says.

Mr. Irvine: All right.

Mr. Singer: Now, if the powers are given to the local municipality to act under section 32 it can do it without the approval of the Ontario Municipal Board. If it gives it to a local official he can do it without the

approval of the Ontario Municipal Board.

Mr. Irvine: Subject to the right of appeal.

Mr. Singer: No. You have taken the right of appeal out. This board is gone.

Mr. J. A. Taylor (Prince Edward-Lennox): No way.

Mr. Singer: Well, you get your zoning bylaw approved without the approval of the Ontario Municipal Board. And I say it is wrong. I say it is as wrong as it can be. You shouldn't give any appointed person that kind of power in the Province of Ontario. Give your power to the municipality, fine; they are subject to the usual restraints of any elected group, and that is where it should go on. Most municipal councils will listen. They'll let people come before them; they will let them argue; they will have public hearings; they will give notices, whether the statutes require it or not.

But your official doesn't have to do any one of those things. And I say, with respect to those officials I know, that very shortly they will not talk to anybody except themselves. They will act completely arbitrarily, because many of them believe that but for the grace of God they are the greatest planners in the world, and nobody should call them in to question. And you give them this power now?

Maybe they do a far better job than elected council; but the people are not going to put up with it. So before you go any further, take this section out of your statute.

Mr. Irvine: The local elected council and the minister can always withdraw the delegation of powers.

Mr. Singer: I suggest to you, Mr. Chairman, it is not a question of giving the member for Grenville-Dundas one more chance. It is going to be a question of moving an amendment, a reasoned amendment on the third reading. And we are going to go into this thing because I think this is probably as bad a section of legislation as I have ever seen in my 14 years here in this Legislature. I think it is a complete negation of the democratic process.

Now, the things that we have done over the past two days—I haven't gotten all of the things I wanted; I have gotten some of the things I wanted. I am prepared to quietly go along with voting for or against. But I tell you if we come to third reading with this section still remaining in the Act, there is going to be a reasoned amendment. We'll lose, but there is going to be a lengthy debate on it. We may again lose. But I tell you, you are doing no service to the municipalities or the people of Ontario. And just you wait until these appointed people start exercising the arbitrary power that you are giving them.

Terrible, terrible politics, bad democracy, and stupid.

Mr. Good: Mr. Chairman, on a point of order, I would like to just correct the reference I made previously to 44b subclause 2. I should have been referring to 44c—the section I would vote against.

Mr. Lawlor: You confused all the Tories over here.

Mr. Good: Sorry about that.

Mr. Irvine: Mr. Chairman, I am not going to reply in great length. I spoke last night on the matter of why we are doing this. And I think the point had been missed completely in the first instance—where the minister may delegate. He'll only delegate where he feels a council has the proper staff to implement any particular legislation which they should underneath his delegation.

Secondly, the municipal council will not delegate to a staff member any powers unless they have certain qualified people to handle for them the routine work, which in the first instance will be tied down by the conditions of the council. The council themselves have the right under the Act to impose conditions on the staff, which they do right now. Now what makes you think that a council without faith in their appointed people are going to delegate authority? I say that this is only allowing the elected people at the local level to have more local autonomy.

Mr. Singer: They cannot delegate subject to any conditions other than the ones they have got.

Mr. Irvine: Council can certainly put any restrictions on their people.

Mr. Singer: That's not what 44c says.

Mr. Irvine: Subsection 44c, we'll read it again, says: "such council may in turn, by bylaw and subject to such conditions as may have been imposed by the minister—"

Mr. Singer: "Imposed by the minister."

Mr. Irvine: "May have."

Mr. Singer: "—delegate any of such—"

Mr. Irvine: —"any of such authority other than the authority to approve," and so on,

"to an appointed officer as identified in the bylaw."

Now, I would think that there is absolutely no way that we won't have the same public participation that we've had in the past.

Interjection by an hon. member.

Mr. Irvine: I just don't see why you would ever stand in this House and say that the people will not be involved in the future. They will be more involved, I think, with what takes place in any municipality. And for the members who have spoken against this particular Act, I think on one hand we're saying "Give power to the local elected people," and on the other we're saying, "Take it away from them."

Mr. Singer: No, sir!

Mrs. Campbell: No way!

Mr. Irvine: This is what you're saying here. You're saying, "Take it away." Now if the elected council, in their wisdom, don't want to delegate powers, that's quite all right. But we have been requested by—

Mr. Singer: Planning directors.

Mr. Irvine: No, no.

Mr. Singer: Did any council request that?

Mr. Irvine: By elected people at the municipal level.

Mr. Singer: Who? Who?

Mr. Irvine: I'm not naming names.

Mr. Singer: No, of course not! And we didn't get a chance to see them.

Mr. Good: Right.

Mr. Irvine: But they have been before us; they have made representation, saying that they feel that with proper conditions they can have certain powers delegated to their staff.

Mr. Singer: The Ontario Municipal Association hasn't said that. No elected municipal official I know of has said it publicly.

Mr. Irvine: I realize that maybe you don't know who said it; maybe somebody else doesn't know. I'm saying that they have said this.

Mr. Singer: Well, then why don't you let us talk to them?

Mr. Irvine: And I am saying to you that if there is any misuse of this authority, the minister will withdraw it immediately. That is why we have put in writing that the minister has the right to withdraw it. We have the right of appeal to the OMB.

So I fail to understand why you think that we are taking away from the people—and this is what bothers me—the right to have participation in any bylaw that comes before a council. We are not taking away one thing from the local person that he hasn't already got.

Mr. Good: Why are you bringing the special purpose boards back into council?

Mr. Irvine: To give the councils the authority to deal with them. And this is the same thing; the council is dealing with it if they wish to hear it in its entirety. They don't have to delegate. We're not saying "shall" delegate, we're saying "may" delegate. We are allowing the councils flexibility.

It may be dangerous, as you say, but if it's that dangerous then the council will not delegate, and if it's dangerous the council will take it back, and they have the right to do so. Or the minister has the right.

I think it is plain that we feel with those restrictions on these powers that we do have every way to stop any misuse of power. I'm very sorry that the hon. member for Downsview has not been able to at least give this a chance to see whether it does work, and in theory it may never work at all; we don't know. In theory it seems good from what we've heard. No one has tried it yet and I don't see why we should go into a prolonged debate on the issue.

If the councils don't wish to, they don't have to. We're giving them that opportunity. They are elected by the people at the local level. Those people are going to tell the council members whether or not they can delegate. They're not hesitant; they never were to you or to me, I'm sure of that.

Mr. Singer: No, no. But these decisions are going to be made without public hearings. The public isn't going to know what happened.

Mr. Irvine: No, no. Absolutely not. Mr. Chairman, that is not a true statement. You must remember that when every municipality holds a council meeting, it is a public meeting.

Mr. Singer: Oh, sure!

Mr. Irvine: And when they pass this bylaw, it is a bylaw which is certainly open to all—

Mr. Singer: You have also been on council and you know when you want to do something and not let anyone know about it, you hold off until midnight.

Mr. Irvine: —of the people in the area. They have every right to be there, and you don't go through one, two, three readings in one night. You have time to participate.

Mr. Singer: We do it here. In 30 hours we have three readings.

Mr. Irvine: Mr. Chairman, we have faith in the elected people not delegating powers.

Mrs. Campbell: Delegate the powers and remove planning from people.

Mr. Irvine: We have faith that they will not delegate powers if they haven't got the proper staff.

Mrs. Campbell: Powers without either responsibility or responsiveness.

Mr. Irvine: We have faith that if they do delegate powers they know they have the proper staff to handle the matters coming before them. I say, Mr. Chairman, that the sections will stand and obviously we'll vote on them.

Mr. Lawlor: Mr. Chairman, there are none so blind as those who will not see.

I keep on repeating a Latin axiom that is used very pervasively in our law about *delegatus non potest delegare.* It means that you do not delegate. Where powers are delegated they are not redelegated, unless under the severest and most close conditions of surveillance. These are ministerial powers, not in the strict sense but in the wide sense. They are powers that the minister himself may exercise, being delegated down to some subordinate official through a chain of command.

English law and English justice over the centuries have been very jealous about these particular delegations for a good reason. They should be swaddled about with all kinds of care. You don't so swaddle them; you don't make it necessary that consultative processes go into this particular one. As has been pointed out, some dangling man, some isolated official out there is given extraordinary power.

Now you may say you have got the permissive aspect which you keep insisting upon. That's beside the point and that's where the blindness comes in. There is no "shall", thank heavens for that, but whether or not there is, the thing in principle and in the way in which it is set up is completely unpalatable and runs contrary to the basic axioms. If that doesn't strike you as having some validity, then nothing one can say will.

If you happen to think that "Così Fan Tutte" is nice opera to listen to, and a fellow over here, like my son, doesn't, then there is nothing you can do about it. There is no use trying to expose him to it under coercion, there is no sense seeking to flagellate you standing here. Either you see the principle in law or you don't see it. Obviously you don't; so let darkness reign.

Mr. Good: The member for Lakeshore didn't yesterday.

Mr. R. F. Ruston: (Essex-Kent): He changed his position from yesterday.

Mr. Chairman: It is moved by Mr. Cassidy that 44c be deleted from the bill. Can we stack that and go on with 44d?

Mr. Cassidy: Let's take a vote, Mr. Chairman. You might take a vote, Mr. Chairman. I know the government is going to agree with it.

Mr. Chairman: Is it your wish that it be stacked at this time?

Mr. Cassidy: On a point of order, Mr. Chairman, we can't stack until we've had a vote and we haven't had a vote yet.

Mr. Singer: All in favour, please stand up.

An hon. member: Sit down.

Mr. Chairman: Mr. Cassidy moves subsection 44c of section 13 of the bill be deleted.

All in favour of the motion say "aye".

All those opposed, say "nay."

In my opinion, the "nays" have it.

Mr. Cassidy: We will stack that, Mr. Chairman.

Mr. Chairman: Okay.

Mr. Cassidy: I'd like some clarification from the parliamentary assistant of the powers that will be delegated. I have checked through the Planning Act, and it seems to me that there are about three or four areas that need to be mentioned. One is official plans; a second is official plan amendments; a third one is subdivision agreements; a fourth one is condominium agreements, which are related; and a fifth one is the staff work which is normally carried out by the ministry when a zoning bylaw goes to the Ontario Municipal Board.

I wonder whether the parliamentary assistant could deal with those aspects of delegation separately, and particularly with whether the ministry plans and intends to keep up a sort of processing branch as an accomplice to the Municipal Board or whether that function, too, which is not mentioned in the Act will be delegated to the designated municipality?

Mr. Irvine: Mr. Chairman,the member did mention some of the various functions that could be handled at the regional level or the municipal level, depending on the minister's discretion. Zoning bylaw, subdivision plans and amendments, too, can be handled at the local level. The right of appeal of land division committee decisions, minor variances that have been dealt with, that right of appeal could be handled at the local level, I really don't see that the official plan and the amendments thereto will be handled too quickly to any particular region, because we still have to resolve with them, and we have had many discussions with them in the past few weeks, as to when they will be ready to assume certain functions in regard to the planning of the overall area.

Each region in each district will be dealt with on its own merit as to what staff they have and as to when they want to assume the particular powers that the minister gives. So there isn't any set rule as to what we'll do. We'll decide on the merits of the request from whatever area it comes from.

Mr. Cassidy: Okay, Mr. Chairman. Will there be any delegation of the power to approve local official plans to regional municipalities prior to the approval by the minister of regional official plans in that particular area?

Mr. Irvine: No.

Mr. Cassidy: Thank you, that's a relief. Will there be any power of approval as far as amendments are concerned at the local level by the region?

Mr. Irvine: No.

Mr. Cassidy: Or will that power also be kept by the ministry until there is a regional official plan?

Mr. Irvine: That power will be kept until there is an official plan for the region.

Mr. Cassidy: Will there be any delegation of subdivision approval powers to local municipalities which are area municipalities within a regional municipality? Or will subdivision control powers be delegated exclusively to regional municipalities, if at all?

Mr. Irvine: That would depend on the particular region, I would say that it should be at the regional level. I don't see any delegation of that to the area municipalities.

Mr. Cassidy: I am sorry; it should be at the regional level but then delegated to the area municipality?

Mr. Irvine: Not in the first instance, not until we have the official plan for the region and we have all the planning considerations for the region finalized, then we may delegate it to the area municipalities. I wouldn't think one would delegate for any other purpose, as you have suggested, until such time as we have finalized all conditions at the regional level.

Mr. Cassidy: Will there be any delegation of the power of ministerial orders under section 32 to a regional municipality so it can interfere in the zoning or other planning at the local level within its region?

Mr. Irvine: No.

Mr. Cassidy: Okay. One other question, Mr. Chairman—

Mr. Good: On that point, if I may.

Mr. Cassidy: Okay; sure.

Mr. Good: Would the parliamentary assistant interpret, in 44c the delegation by a regional council to an area council as being —well, that wouldn't be an appointed official. There couldn't be delegation of subdivision approval from a regional council to an area council; that provision wouldn't be in here, would it?

Mr. Irvine: No.

Mr. Cassidy: Mr. Chairman, I would like ask the assistant whether, prior to the point three years hence in time when we have a report on the reform of the Planning Act, there won't be something done about the inadequate public participation involved in subdivision approvals and in rezoning applications, in the process they go through prior to being made a bylaw of a local regional council?

I am sure the parliamentary assistant is aware of the recommendations made in this report and similar recommendations made in the Ontario Economic Council report. A great deal of stress has been put on this question of public involvement by people who were

either experts or made themselves somewhat informed on the subject. It was felt by both of these authorities that the time span can be compressed by the use of time limits—as has been suggested by the ministry—and that within those time limits, however, with effective planning, you can have public participation as well.

It seems to me that, in the climate of the 1970s, we cannot wait for three or four years to get that, but should have a series of amendments as early, say, as this coming spring in order to implement it at this time. Can we have that commitment from the ministry?

Mr. Irvine: I can't give you a commitment but I will give you a comment. This matter was discussed, as was mentioned by the member for Welland South, when the select committee on the OMB had hearings throughout the province. I believe in full participation at the local level. I believe we can improve the manner in which we are presently implementing certain bylaws and official plans and so on. I think the minister has done this in regard to delegation of authority.

On your question in regard to making sure that there is adequate public participation, I think it is a valid point. I am in agreement and we will try to provide conditions for the municipalities in regard to regulating, throughout the province, how we can have these meetings on a regular basis, and how the people will be fully informed whenever there is such a decision being made by a local council to change a particular zoning bylaw or an official plan. But, at this time, I can't give you any commitment.

Mr. Cassidy: I'm sorry, you're saying that you would favour that kind of legislation and hope to see it, though; is that correct?

Mr. Irvine: Correct.

Mr. Cassidy: Then if you can take that back to the ministry I would appreciate it, and we hope to see some results.

Mr. Chairman, on 44d just one question, and that's the following: My understanding is that the powers that the minister has to refuse applications are not carried over in the same way in this section because an applicant who is refused by an appointed officer, or a council, has got the power to go through an appeal; whereas he doesn't have that power to appeal against a refusal by the ministry—is that right?

Mr. Irvine: Yes, as I understand the question, yes.

Mr. Cassidy: Okay, that is good.

Mr. Chairman: Are there any further comments before section 16?

Mr. Cassidy: On 14, Mr. Chairman.

Mr. Chairman: On section 14?

Mr. Cassidy: I have an amendment to section 14, which is the following: Moved by myself that the Act is further amended by substituting for the present section 14, which shall become section 15, the following sections:

14. (1) The council of the municipality or municipal corporation may pass bylaws to designate any defined area, or areas, within the municipality as a demolition controlled area.

(2) Notwithstanding any general or special Act or bylaw passed thereunder, upon coming into force of a bylaw passed under subsection 1 and a period of six months thereafter, no building, or structure, or part of a building or structure situate within an area defined by the bylaw shall be demolished except where, in the opinion of the council, a building or structure or part of a building or structure is in an unsafe condition and incapable of repair. Nor shall any permit to demolish be issued where a permit is required except as aforesaid.

(3) Every person who demolishes, or authorizes the demolishing of any building or structure or part of a building or structure contrary to subsection 2 is guilty of an offence and shall pay a penalty of $2,000 for each and every building or structure, or part of a building or structure so demolished, and Part XXI of the Municipal Act applies mutatis mutandis.

(4) Where, during the six-month period referred to in subsection 2, a study of such area has been initiated for the purpose of recommending policies for adoption, by way of amendment, to the official plan under the Planning Act for such area and the council is of the opinion that demolition of buildings or structures, or parts of buildings or structures, or in a class or classes thereof may prejudice the effectiveness of any such policy, the council may, by bylaw:

(a) prohibit in the whole or any part of such area the demolition of buildings or structures, or parts of buildings or structures, or any class or classes thereof;

(b) provide that no permit shall be issued to demolish any building or struc-

ture, or part of a building or structure of a class covered by the bylaw where a permit is required except where, in the opinion of the council, such building or structure, or part of a building or structure is in an unsafe condition and incapable of repair.

(5) A bylaw passed under subsection 4 comes into force from the day the six-month period referred to in subsection 2 expires, and continues in force for a period set under the bylaw which shall not be more than five years, or until an amendment to the official plan for the area covered by the bylaw is approved under the Planning Act, whichever is shorter.

(6) No person shall acquire any right to a permit for the demolition of any building or structure, or part of a building or structure of a class covered by the bylaw where such permit is required by reason only of his having applied for such permit before or during the six-month period referred to in subsection 2, or while a bylaw passed under subsection 4 is in effect.

(7) During the six-month period referred to in subsection 2, and while the bylaw passed under subsection 4 is in effect, any general or special Act respecting standards for the maintenance and occupancy of buildings and structures, and any bylaw passed thereunder, remain in full force and effect subject to the provisions of subsection 2, or the provisions of the bylaw passed under subsection 4 as the case may be.

(8) A bylaw passed under subsection 4 may provide that every person who demolishes, or authorizes the demolition of a building or structure, or part of a building or structure contrary to the bylaw is guilty of an offence and shall pay a penalty of $2,000 for each and every building or structure, or part of a building or structure so demolished and Part XXI of the Municipal Act applies mutatis mutandis.

And finally, a new section which I don't believe is on the assistant's copy, but relates to appeals. I wasn't able to copy it in in time.

(9) Where the owner of a building in a demolition control area applies for and is refused a demolition control permit by the council, he may appeal the council's refusal to the Ontario Municipal Board and the provisions for appeal under section 35 of the Act apply mutatis mutandis.

Mr. Chairman, that rather lengthy amendment—and I may say that when we come into power it is obvious that—

Interjections by hon. members.

Mr. Cassidy: —we should make a few members on that side simply read through the Revised Statutes of Ontario for a few weeks as punishment for all the damage they have wreaked in this province because it is punishment in itself just to read this thing out.

This, Mr. Chairman, members will recognize as an equivalent to the city of Toronto's demolition control proposals in their private bill of the spring which was rejected because of the actions of the member for Downsview and the Liberal Party .

Mr. Singer: Yes, I did it all by myself.

Mr. Cassidy: That's right, yes, and with some help from his Conservative friends—

Mr. Singer: My power around here is unlimited.

Mr. Cassidy: That's right. I offer it now, Mr. Chairman, in the hope that since the major objection on the part of the government to the city of Toronto's proposals was that it was of specific rather than general application, and that it did not include any appeal procedures, that the inclusion of an appeal procedure and the making of a general, rather than specific provision, would be enough to commend this particular amendment to the government. I would just hope very much that the government would be willing to deliver on the commitment it made to the city of Toronto this spring and to pass this into general legislation at this time.

Mr. Irvine: Mr. Chairman, the member for Ottawa Centre has to be dreaming if he thinks we are going to accept this kind of an amendment to the Act when there hasn't been any public consideration whatsoever. We have asked the city of Toronto to help us develop legislation; we are working with them. When we arrive at this stage and we have had other public consideration given to the draft legislation, we will bring it in. But there is no way I would ever dream of accepting something like this and with those few remarks, Mr. Chairman, I will sit down and say the amendment will not carry.

Mr. Cassidy: Mr. Chairman in other words the answer is no.

Interjections by hon. members.

Mr. Cassidy: Mr. Chairman I made a note here the other night relating to the minister's comments on second reading debate. I don't have the actual instant Hansard here, but I believe he stated then that when Toronto brought in general demolition control legislation then this government will implement those proposals by the city of Toronto. Is that correct? Or can he clarify just what it is that he will approve for Toronto or for general legislation?

Mr. Irvine: We are not going to approve anything until we see it and we have the chance to consider what they are asking us to implement. As I understand it, we are waiting for them to propose to us certain legislation for demolition control. They have not gotten around to doing that yet. They are not the only city maybe that wants demolition control, but speaking specifically of Toronto they have not had the opportune time to bring it to us. So therefore whenever they have time and they wish to have us consider it we will do so.

Mr. Chairman: All those in favor—

Mr. Cassidy: Mr. Chairman, let me just try a third round. I don't want to prolong this, but is there a commitment or isn't there? Last spring we thought there was, now the assistant says Toronto hasn't come back. Well okay, that may be one reason, although they have been tied up with a height control by-law they had to bring in because they didn't have any other provincial powers of control over development of the downtown area. But when they bring it in, is the commitment of last spring to be honoured, that provided adequate appeal provisions are included in the Act and the period of demolition control is not excessive in the view of the province, that their proposals will be implemented, or are you reneging on that particular commitment?

Mr. Irvine: Mr. Chairman, I think the member is trying to put words in my mouth, which I don't accept. All I am saying to you is that I have never in the past said I agreed with something which I haven't seen, and I am not going to agree to something I haven't seen right now as far as demolition control is concerned. We will give it consideration, but that's as far as I am going to do.

Mr. Cassidy: In principle will the province endorse demolition control provided that the terms and details of the proposals of the city of Toronto are satisfactory to the provincial government?

Mr. Irvine: We will take it into consideration.

Mr. Cassidy: That is just inadequate, Mr. Chairman, I just don't accept that at all.

Mr. Irvine: Well, it may be inadequate to you, but that is nothing unusual.

Mr. Cassidy: It seems to me that the government should agree in principle to honour the commitment made to the city of Toronto in the spring.

Mr. Irvine: Your presentation wasn't adequate; it is the same thing.

Mr. Chairman: Those in favour of Mr. Cassidy's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Mr. Cassidy: We will stack, Mr. Chairman.

Mr. Chairman: Any comments, questions or amendments before section 16?

On section 16:

Mr. Irvine: I have an amendment to section 16.

Mr. Irvine moves that the bill be amended by adding thereto the following section:

> 16. Where a committee of adjustment ceases to have jurisdiction to grant consents, as provided in subsection 1 of section 31, the minister or the land division committee stands in the place and stead of the committee of adjustment for the purpose of completing the disposition of any application for a consent that may have been pending before any such committee and that is not finally disposed of on or before Dec. 31, 1973;

And that sections 16 and 17 be renumbered as sections 17 and 18.

Mr. Chairman: Shall this motion carry?

Motion agreed to.

Mr. Chairman: We had an agreement to stack not only the accumulated amendments but also certain bills. Is this the end of that group of bills?

Mr. Stokes: Bills? We don't stack bills.

Mr. Chairman: Last week. Last week it was.

Mr. Breithaupt: I don't think there are any more matters, Mr. Chairman, that have to be dealt with in that way. I think that those

have been attended to, and when this bill is finished I understand it's the intention to proceed with the Minister of Labour's bills in their ordinary course.

Mr. Chairman: You wish to have these votes looked after now then?

Some hon. members: Yes.

Mr. Chairman: Call in the members.

We have a number of matters to decide. We have nine different amendments in all.

Interjections by hon. members.

Mr. Stokes: It is the fire alarm.

Mr. Breithaupt: Anyone smell smoke?

Mr. Chairman: Order, please. We'll place the first vote. I think you'd better pay close attention because we will be voting in different ways.

The first matter to be decided is this: The question is, shall sections 1 and 2 stand as part of the bill?

Those in favour of sections 1 and 2 standing as part of the bill, will please rise.

Those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 60, the "nays" are 13.

Mr. Chairman: I declare sections 1 and 2 to stand as part of the bill.

The next matter to be decided is an amendment by Mr. Singer that is adding a new subsection (5) to section 7: "No such order shall be made," and so on.

An hon. member: What subsection is that?

Mr. Chairman: I will read a little more so you will know what it is about. The new subsection (5) would read:

> No such order shall be made unless it applies to all lots in the immediate area. All persons affected by it shall receive notice and an opportunity to appear before the council before such bylaw is passed. No such order shall be passed containing as conditions thereof the payment of costs for services unless the majority of those affected agree to such levy. The developer may in any such order be assessed with an appropriate share of the costs of any services that may be required.

Those in favour then of Mr. Singer's motion will please rise.

Mr. Singer: A very good amendment.

Mr. Chairman: Order, please, those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 27, the "nays" are 46.

Mr. Chairman: I declare the motion lost.

The third vote which was stacked is a motion by Mr. Singer that section 10 of the bill, referring to section 35a, subsection (1), paragraph 1 of the Act, be amended by adding after the word "redeveloped" the words "providing that if the municipality requires that the widened highway be more than 66 ft for any such width," and so on.

Those in favour of Mr. Singer's motion will please rise.

Those opposed will please rise.

Clerk of the House: Mr. Chairman, the "ayes" are 14, the "nays" are 59.

Mr. Chairman: I declare the motion lost.

The next is a motion by Mr. Irvine who moves that section 35a of the Act as set out in section 10 of the bill be amended by adding thereto the following subsection:

> (1)(b) Nothing in paragraph 12 of subsection (1) shall be deemed to confer on the council of the municipality power to limit the height or density of buildings to be erected on the land.

Those in favour of Mr. Irvine's motion will please rise.

That will be the same as the first vote. Agreed?

I declare the motion carried.

The next one was—order, please. It was agreed to accept the first vote.

Mr. Lawlor: We stand 45 ft high and no higher.

Mr. Chairman: It was agreed by voice to accept the first vote. We may be able to do that with the others.

Mr. Cassidy has moved in this particular motion that paragraph 12 of subsection 1 of section 35a of the Act, as set out in section 10 of the bill, be amended by adding after the word "cross-section" the words "and design including exterior materials of the proposed building or structure."

Those in favour of Mr. Cassidy's motion will please rise. All right, this will be the same as the first vote but reversed. Agreed?

I declare the motion lost.

The next was a motion by Mr. Deacon that section 10 of the bill pertaining to sub-

section 35b of the Act be amended by deletion of the words "for residential purposes" in the second line.

Interjections by hon. members.

Mr. Chairman: Order, please. Order. And also the words "in the amount not exceeding five per cent of the land" in lines five and six and the words "part of the" to be inserted before the word "land" in the fifth line.

Those in favour of Mr. Deacon's motion will please rise.

That's the second vote in reverse.

I declare the motion lost.

The next one is a motion by Mr. Cassidy; it is a new section 35c he is proposing.

Mr. Cassidy: It is the development control amendment, Mr. Chairman.

Mr. Chairman: Having to do with development control. Demolition, isn't it?

Mr. Cassidy: Development control, Mr. Chairman.

Mr. Chairman: This is development control; you are right. In other words, it starts off "Where there is an official plan in effect in a municipality the council of the municipality in a bylaw passed under section 35," okay?

Those in favour of Mr. Cassidy's motion will please rise then. The first vote is reversed. I declare the motion lost.

Interjections by hon. members.

Mr. Chairman: Order, please. Mr. Cassidy moved that subsection 44c of section 13 of the bill be deleted.

Those in favour of Mr. Cassidy's motion will please rise. That will be the same as vote 2, the second count reversed.

I declare the motion lost.

Order, please. The last amendment was moved by Mr. Cassidy and it had to do with demolition powers, if you recall.

Those in favour of Mr. Cassidy's motion will please rise. The first vote reversed again; no, not reversed.

I declare the motion lost then.

Shall the bill as amended be reported? Those in favour of the bill as amended being reported will please rise. The same as the second vote, reversed.

I declare the motion carried.

Bill 264, as amended, reported.

It being 6 o'clock, p.m., the House took recess.

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No. 165



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Tuesday, December 11, 1973

Evening Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

OFFICE OF THE SPEAKER
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1973



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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Hon. Mr. Guindon moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports one bill with certain amendments and asks for leave to sit again.

Report agreed to.

EMPLOYMENT STANDARDS ACT

Hon. Mr. Guindon moves second reading of Bill 268, An Act to amend the Employment Standards Act.

Mr. Speaker: The hon. minister. The hon. Leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Does the minister (Mr. Guindon) want to make a statement? The bill apears to us to be fairly routine. It deals with terms of employment, conditions of employment, vacations with pay, and it corrects one or two other matters that have been pending and discussed in this Legislature over the past year to 18 months. The overtime requirements have been settled more specifically.

As far as we are concerned, we are prepared to support the bill. Although there may be some of my colleagues who will want to raise specific questions in committee, I don't believe it has to go to a standing committee and we can deal with it in the committee of the whole House.

Mr. Speaker: The member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Thank you, Mr. Speaker. I must say this bill doesn't seem to us to be all that routine. Most assuredly, we will be putting amendments to various sections of this bill at the committee stage. We wish the bill contained many more sections than it does at this point, and that a lot more loopholes in the Employment Standards Act were in fact closed by this amending Act.

This bill, An Act to amend the Employment Standards Act, deals with very narrow areas of some sections only. It deals only with increased vacations, increased holiday and vacation pay and termination pay in a very narrow sense where it applies to a stop-work order issued under the Environmental Protection Act.

One section particularly disturbs me because of its limitations, and that is the section dealing with the termination pay to employees who have lost their employment due to a stop-work order issued only under the Environmental Protection Act. What disturbs me is that the government is being very short-sighted and myopic in restricting this section to an order made only under the Environmental Protection Act.

Again, this is like so many sections in this entire Act, Mr. Speaker. It is like closing the barn door after the horse got out.

We know that this section was brought in specifically to deal with the case of the Canada Metal Co. which had a stop-work order applied to it under the Environmental Protection Act. An appeal was made to the courts, and in this case the court moved exceedingly fast so that the horse didn't get quite all the way out the door—the employees were back to work before the loophole was in fact closed.

However, the reasons that the court ruled that the order was invalid was because of lack of evidence but, more importantly as I see it, is that the provisions of the Environmental Protection Act aren't nearly strong enough to effect a stop-work order of the kind that was tried to be applied to the Canada Metal Co.

We have another situation now, where the Canada Metal Co. likely will be closed down by action of the city of Toronto under the appropriate sections of the Public Health Act. This is not at all covered by this amendment to the Employment Standards Act.

The ultimate irony of this situation is that for a stop-work order or any of the clauses

mentioned under this amendment Act to be effective, we would have to amend the Environmental Protection Act so that the section of it dealing with stop-work orders had teeth in it and was going to be effective in the stop-work order situation in order for this amendment to make any sense or to have any application whatsoever.

If the hon. minister does not introduce an amendment to this section so that all statutes of the Province of Ontario apply here if a stop-work order is made under any section or any statute of the Province of Ontario, and so that termination pay would be paid or would be required to be paid, this bill is really deficient. What is more, we suspect the government's motive, feeling the way we do about the strength of this particular section of the Environmental Protection Act. And we will continue to suspect their motive unless amendments are introduced to make it apply to all statutes of the Province of Ontario.

We feel that the minister is not at all serious in ensuring that the workers in this province receive termination pay when their job disappears as a result of government action. We feel that perhaps the minister simple-mindedly introduced this amendment, feeling that it would be effective. He is trying to close one door that the horse was trying to get out of, meanwhile leaving all the rest of the doors in the barn wide open. He thought he had covered that situation by introducing this simple-minded amendment.

An hon. member: Simple-minded?

Mr. Bounsall: Either that or he deliberately introduced this amendment, restricting it only to the Environmental Protection Act, knowing full well that under any other statute of the Province of Ontario, particularly the Public Health Act in the case of Canada Metal, that the workers would still be thrown out of work and would not be obliged to receive termination pay. And you will continue to feel that way about it unless you extend this section of the Act.

I am sorry and disappointed, but not surprised that the minister did not stand up in his opening remarks and say: "We will extend that to apply to any statute in the Province of Ontario."

We feel very strongly you were either misled in thinking that the EP Act would cover it all, or you deliberately put it in here; and it means no more than the words that are written on the paper here in terms of effecting termination pay for employees terminated from their jobs by action of the statutes of Ontario.

Mr. Speaker, we will put an amendment to this section of the Act at the committee stage, if this is not accepted by the ministry.

There are other thoughts arising from this section—this particular inclusion regarding termination pay—that bothered me considerably. Here is an opportunity, and the government might have taken a little bit of time at least to look at the termination pay provisions of the Employment Standards Act; yet it has introduced nothing at this time that deals with the situation of the Hall Lamp Co. Here is a company placed in receivership; perhaps it is bankrupt—we don't know yet—in which case because of the order of employees in the payments under the Bankruptcy Act, they will receive probably no termination pay. If they do, it will be very little; not what the Act was intended to give them. And there is nothing here that would cover that situation.

I would like to know from the minister—perhaps he can tell us in his reply—if he has made representations to the federal government lately as to changing the provisions of the Bankruptcy Act to have employee wages, particularly termination pay, moved much higher in the order of priorities of payment when a plant goes into bankruptcy?

I think that such representation may well be ineffective, because the federal government does not wish to change its mind at all; or does not pay any attention to provincial representation, which is a convenient thing to do.

The provincial government could say, "Well, we've made representations to the federal government and they refused to change."

The federal government, as so often is the case in these situations, will say, "Well, termination pay is a provincial matter."

And there it all rests, with nothing effective happening in terms of termination pay going to employees when a plant goes into bankruptcy.

I am going to suggest—and I do hate helping to write the government's legislation in this way—that the government create, and it would come just before election time, a termination pay compensation fund. The only solution is to have a termination pay compensation fund to which all employers would be required to contribute on a regular basis for use in bankruptcies; so that the workers would be paid their termination

pay as provided under the provisions of this Act, and they would receive it immediately.

Then, if it works out that the company is not as bankrupt as we thought, or operation under receivership makes it viable again—as we hope might occur in the case of the Hall Lamp Co. even yet; now that the government has not felt free to go in and operate that plant or give help in the operation of that plant so it could continue to function—the fund could be reimbursed.

The government would pay the benefit immediately out of the termination pay compensation fund. If the government could collect from the company in the normal order of financial preference, then it would be the fund that would be reimbursed. And I put this forward to the minister for his consideration; and I would hope for action in the near future.

Mr. F. Laughren (Nickel Belt): Very reasonable.

Mr. Bounsall: Here is an opportunity to cover the Acme Screw and Gear situation.

I introduced a private member's bill covering this section about fourteen or fifteen months ago and we debated it about a year ago. Termination pay is not extended when termination occurs after a strike has taken place. Forget all about the Acme Screw and Gear now operating in the same location under a different name—that's what has happened there—forget about that entire side of it and deal with the situation about no termination pay occurring when the plant is terminated while the employees are on strike.

In that section, under those considerations, it was clear that Acme Screw and Gear deliberately caused the employees to come offside to use a football analogy. By a series of actions the company deliberately provoked the strike so it could terminate under the conditions of a strike as it had planned to do, to avoid paying termination pay to the employees.

It became clear that this was the case and subsequently, of course, various of those products are being manufactured under another name at that same location. Yet there's nothing in this section, if the minister is really serious about protecting the termination pay rights of the workers in Ontario, which would change that situation. It cries out for changing. Once a company is allowed to get away with that, it sets a pattern which other employers in this province can follow. This is a bad omission and a very large omission from the bill.

There are other sections of the bill, Mr. Speaker, which have not gone nearly far enough. One of these is section 1, and here not only has the minister not gone far enough but, as far as I read the bill he has harmed the Act. In section 1 which says that when a term or a condition of employment in a collective agreement confers a higher remuneration in money or greater right or benefit than the Act contains, the term or condition of employment in the collective agreement shall prevail, the minister limits very severely the sections of the Employment Standards Act to which reference to a collective agreement superseding it can apply. He limits it to vacation pay and holiday pay only. He limits it, very very severely.

Why limit it at all? Why not include all provisions of the Employment Standards Act in this section? By limiting it the minister makes the entire Act or this clause of it almost worse than useless because it would be assumed—and is assumed, in fact—that if any collective agreement attained through collective bargaining contains a provision or provisions that bestow a greater right or benefit or remuneration than contained in this Act, the collective bargaining agreement would automatically prevail. Yet by including specifically only these two provisions—vacation pay and holiday pay—as the conditions which in a collective agreement, would supersede the benefits of the Employment Standards Act, what the minister has done, by implication, is say that no other part or provision of a collective agreement can supersede provisions in this Act.

He has picked two out and mentioned them. By implication he is saying none of the rest of the sections of the benefits mentioned in the Employment Standards Act can be greater when contained in a collective bargaining agreement.

If that isn't the minister's intention, then all he need to do simply in this case is to extend this to cover all provisions of the Employment Standards Act, and let's see how reasonable it is. If in a collective bargaining between parties, agreement is reached, for example, to extend the pregnancy leave from the current 12 weeks contained in the Act to 15 weeks, which might be reasonable because that happens to be the number of weeks for which the unemployment insurance will pay pregnancy benefits is the minister saying if the collective agreement had that provision the collective agreement couldn't supersede the Act?

By not being mentioned here in this section, that's what's going to be the implication.

If the minister is not saying that, then extend this section to include all provisions of the Act. I suspect the minister is not saying that and that he doesn't really intend it. If in a collective agreement the pregnancy benefits or rights are extended to something greater than 12 weeks, that provision can't occur, does he say? I would really like to have the minister's specific comments to these specific sections. If that is not the case, then put it in here, or by implication and by interpretation of the Ontario Labour Relations Board, there are going to be problems here.

Let's take another situation. Looking strictly at the wording of the Act again, is the minister saying, if in a collective bargaining situation between parties, agreement is reached to pay an overtime rate for certain hours before the 48 hours is reached, the Act again supersedes the agreement? No, of course, he is not, because this is already being done in collective agreements all across this province. Are they now to be challenged by employers because they are not specifically included in this section of the Act? I think this very much opens the door to that. If the minister doesn't intend that, let him show me very clearly where in the Act they can get away with it, and show me very clearly by amending section 1 of this amending Act to the Employment Standards Act.

Let me take another very interesting example in the same sense. Is the minister saying if in a collective bargaining between parties, agreement is reached with respect to the pay statement, to furnish a pay statement that contains more than what is contained in the Employment Standards Act, which is superior to what is contained in the Act, this couldn't be done. Let's say it's agreed each pay stub, for example—and there could be many examples—will show how much total pension benefits an employee has. After all, there are tables for this available, and it can be found and can be put on the pay stub. It would also include another column, for example, that says if you retire tomorrow this would be what your pension would be when you arrive at the appropriate age.

The minister is saying if it has been agreed by collective bargaining that that should appear, so workers receiving that pay statement would know that kind of information, that would be illegal and could not be done because the collective agreement can't supersede the provisions of this Act. Is he really saying this would prevent that? If it isn't, he has to make it clear in this Act at this time that it extends to all those provisions.

Actually I think I know, Mr. Speaker, what is holding up the minister here. What is really holding him up is that he doesn't like to see collective agreement provisions being superior to this Act. He would not like to see it pertain to the hours of work and overtime where, presumably, in a collective agreement—no one has it now—in the future, one might reach an agreement between parties that overtime may not be eight and 48 but something less, such as maybe eight and 40. The overtime permits to that company and the overtime charge to permits would start after 40 hours rather than the 48 hours. I strongly suspect, quite strongly that this is what is making the minister nervous.

If an employer and employees bargain collectively for what they want to have in a bargaining contract, giving up other benefits in order to get it in, in order that they don't work a whole lot of overtime, they should be allowed to do that.

I am fairly certain, in terms of communications which have been reported to me and of which I have seen parts, that if a collective agreement attained this now, the answer from the ministry as to whether or not this is allowable is a quite definite, "No, it is not allowable." In this section, in a collective agreement, one cannot have a benefit which is less than appears in the Act.

The minister can quickly dispel that feeling by making it very clear tonight that all sections of the Act can be superseded in a collective bargaining agreement. We will look forward to his thoughts on amending section 1 in that respect.

Mr. Laughren: We certainly will.

Mr. Bounsall: If not, we will do something about it ourselves when we come to that section of the Act, and we will divide the House on it if necessary.

Mr. R. F. Nixon: That will certainly make it have an impact.

Mr. Bounsall: Yes, right.

Mr. S. Lewis (Scarborough West): Dividing the House has salutary effects from time to time.

Mr. J. R. Breithaupt (Kitchener): Brings us all together, if nothing else.

Mr. Bounsall: Some of the comments I am making, Mr. Speaker, can best be made, perhaps, at the committee stage where we can zero in on the individual point because this amended Act picks up a whole small series of sections in the Act and deals with them.

It should have picked up a lot more, as I've said.

I want to point out that under section 3, where the minister has reduced the number of hours from 48 to 44, after which overtime pay must now be paid, again this government and the Province of Ontario are quite happy to be tied for sixth place in the provinces of Canada. At the moment, it is 40 hours—

Mr. Laughren: Right now.

Mr. Bounsall: —for all federal government employees. Any employee who works beyond 40 hours receives time-and-a-half, for time-and-a-half is the minimum for overtime pay. That applies to all workers in the Province of Saskatchewan, right at this very moment. At this very moment, the Province of Alberta—pardon me, it also applies to British Columbia, for federal employees, and in British Columbia and Saskatchewan, overtime pay starts after 40 hours.

In Alberta and Manitoba, it starts after 44 hours. According to this amended section, we are to wait another whole year, until January, 1975, before it is going to start even after 44.

Mr. Laughren: Shame.

Mr. Bounsall: We are the most industrialized province in Canada and it is reprehensible for this province to be happy and content, from this government's point of view, to be equal to the industrially-depressed Maritimes in this provision. That is exactly where we are; we won't even match Alberta and Manitoba for another whole year.

Mr. Speaker, we will support this Act on second reading in spite of all its sins of omission, and there are many. We will place amendments particularly to the first three sections, Mr. Speaker, but we will support it because it does take a small step forward in paying two weeks vacation rather than one week in the first year of employment.

Hon. J. W. Snow (Minister of Government Services). That means the member is changing his mind.

Mr. Bounsall: It specifies clearly what pay employees in this province should get for holidays and overtime. Because it has these provisions in it, we will support this bill on second reading in spite of its many omissions.

Mr. Speaker: The hon. member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I, too, rise in regard to this particular bill. The member for Windsor West and I did have the opportunity to discuss some of these matters very briefly on Sunday evening on our way to Toronto. I think we are in mutual agreement on many of the items that he has put forth this evening.

Mr. Lewis: Just a moment!

Mr. J. E. Stokes (Thunder Bay): It was nice of him to bring the member up to date.

Mr. Paterson: I'll try to avoid repeating the facts that have been brought forth by the member and bring out some other matters that I feel should come to the attention of the House itself.

First, I want to deal with the principle enunciated in section 3 of the bill; that is, the move to the 44-hour work week from the former provision of 48 hours. I think this has two aspects that I would like to deal with. One, as a merchant and speaking as a representative of the many thousands of employers who employ many hundreds of thousands of people throughout our province, I think in general we do welcome this move to the 44-hour work week.

By and large, Mr. Speaker, I believe that most employers in the retail sector do not require their employees to work more than 40 or possibly 42 hours per week, depending upon the store hours; and often they are forced to stay open because of a lack of legislation by this particular government in relation to the regulation of store hours. This is another matter that I hope will come before us in due course. Possibly this amendment to the Act can assist us in moving in the right direction in that regard at the same time.

I think it's very significant that no employer —and I hope there wouldn't be any in the province—can reduce the rate of wages payable to an employee to keep the same dollar flow if they move back from the 48-hour to the 44-hour week.

In my own case, Mr. Speaker, I reduced the hours of work for my employees several years ago. I put them on a revolving day off to give them a long weekend. I think it was the first retail business in my own community that did this. I know it increased my cost of operating substantially, but I feel that these people are entitled to benefits such as these because they are, in fact, the persons who build my business and are the real assets in the communities across our province.

They do deserve this sort of treatment, Mr. Speaker, and I hope that in due course the minister can move another amendment to reduce this to 40 hours in the near future.

However, this particular section does have other significance in the riding which I represent. I represent an area that has, I believe, 17 food processing plants; it's a very specialized agricultural area. This particular move has great significance in that area where, during the harvest season, special provisions in the past have allowed employees of those food processing plants to work up to 12 hours a day, and in most cases, six days per week, with a nominal increment for the overtime work only and the differential probably is only paid on the night shift.

I trust that the minister and his advisers have looked into the implications as to how it is going to affect the cost of basic canned food items in our province and the resulting clamour that may come from this.

I might also say a few words about the provision regarding termination of employments by government order being restricted to the Environment Protection Act. I think this is quite narrow in concept and while I won't repeat the arguments of the member who spoke earlier, I think this should have another glance by the minister and his advisers to see if we can broaden the terms of reference. I'm sure that, as in the weeks and months that have passed, there may be other instances in the weeks and months ahead of us where people will be forced out of work because of a government decree and the workers will be in real jeopardy.

Mr. Speaker, section 5 deals with vacation pay. I applaud this new amendment. Basically it doubles the amount of vacation pay that the new worker in a store or an industry can receive. The move to the four per cent that was made a couple of years ago as it related to beyond the one-year full employment was, I think, a step in the right direction and this follows through, that these employees who are doing their part are going to achieve this benefit.

The last part of the bill, Mr. Speaker, is one with which I hope to raise a few questions as we get into the other area of debate, but it involves the holidays with pay; the seven named holidays and the gradual move into that. I believe the bill covers four of these days this year and the other three in 1975.

But the part that worries me in here is that the section does not apply to an employee who has not earned wages for at least 12 working days during the 30 calendar days immediately preceding the holiday. Mr. Speaker, in my observation I am just afraid that unscrupulous employers may take advantage of this particular clause, eliminating people who may only desire to work three or four days a week. I think this is especially true in the retail industry where many housewives want a change of pace and do come into the stores for short periods of time. I realize subsection (d) may deal with this special arrangement, but I am afraid unscrupulous employers might take a bad turn on this and not hire the part-time employees for the full 12-day period as set out in this provision.

In relation to this matter, Mr. Speaker, possibly you are aware that other employers in our province hire people for short periods of time in order that they can avoid certain provisions in our labour laws relating to, I believe, the payment of unemployment insurance or other factors that add to the normal business overhead of a legitimate business person. I think this is something the department is not legislating here, but it should take a look at those matters. They are quite serious in many of our communities where people are, in fact, being forced to allow a business person to beat the system and not pay his full share into many of the agreements that legitimate business people plan on contributing to on behalf of their employees and as good citizens in our country.

There is one last section I will raise during the next area of debate. That concerns the typographical error dealing with a homemaker rather than a homeworker. I don't know the significance of this, other than that during the debate on the recent bill on the homemakers' services under Community and Social Services, I attempted to point out the very tenuous position that these homemakers had in that they were self-employed. I had hoped the Ministry of Community and Social Services might get together with the Minister of Labour, Mr. Speaker, and make some amelioration in this regard toward having them considered as employees of county social services or other people who were utilizing their services and, in fact, making out their paycheques. But possibly we can get into this particular section later in the evening.

Mr. Speaker: The hon. member for Nickel Belt.

Mr. Laughren: Thank you, Mr. Speaker. I would like to endorse the comments of my colleague from Windsor West who, I thought,

with his somewhat omnibus criticism summed up the position of this party very well.

A few things bothered me in particular, and I suspect it's at least partially because of the nature of the riding I represent; being largely in the north and consisting of a fairly significant number of unorganized workers in the lumber camps.

I find that the reduction in the maximum hours of work from 48 to 44 without guaranteeing the same take-home pay for those workers is truly offensive.

Mr. Speaker, we discussed this during the estimates of the Ministry of Labour and I had hoped that the minister would have by now seen the error of his ways and would have seen that by legislating those kinds of changes that what he is doing is further exploiting the lowest income earners in this province. Because if a worker is earning $2 an hour and is working a 48-hour week and has the hours of work reduced from 48 to 44, he has his income reduced from $96 to $88 a week.

Now, for the life of me, Mr. Speaker, I do not understand how this minister can legislate the further exploitation of working men in this province; but that's what he is going to do to the workers who are now working at low wages and are working 48 hours a week. Surely he understands that it's the low-paid, exploited workers who are working the 48-hour week. It is not the highly organized workers who are working the 48-hour week; it's the unorganized workers, who most need the protection of this ministry. And they are not getting it from this minister.

It might perhaps clue the minister in as to why the Ontario Federation of Labour was demanding his resignation; because this kind of legislation does not help the workers who need it the most in this province.

I don't understand why the minister cannot put a clause in—and this will come forth in an amendment from my colleague from Windsor West—stipulating that if the hours of work are reduced from 48 to 44—well, of course, they should be down to 40—but if they are reduced from 48 to 44, that the earnings of the employees will not consequently be reduced as a result of the change in the legislation. And if it's not a very significant number of employees who are to be affected, then surely it's not going to do much damage to the employers in this province if he makes a change in his legislation. If it is a significant number, then it indicates that there is a very serious loophole in the legislation, and that a very significant number of employees would have their income reduced.

Unless the minister is going to continue to see himself cast in the role of the spokesman for the employers in this province, then I would suggest that he had better change the legislation. But I must say that I'm not optimistic, because a Minister of Labour who would condone, if not encourage, strike-breaking in plants across this province—such as Artistic and others—certainly would not have any concern about reducing the wages of the workers in this province who are the most exploited at this time.

As a matter of fact, what he is really doing is reducing the wages of men and women who are already working to maintain themselves at the poverty level; it takes some gall, Mr. Speaker, to reduce the wages of those employees. Any minister who would raise the minimum wage from $1.80 to $2 in Ontario, by far the richest industrialized province in this country, really has discarded any pretences of impartiality that he would have us believe that he possesses.

And any minister who, at this point in time, would introduce changes in the Workmen's Compensation Act that are structural rather than dealing with the level of benefits, I suppose will have no conscience qualms over screwing the exploited workers just a little bit more in this province, because that's what he's doing. And what I'm really trying to say to the minister—

Mr. Lewis: What did I say yesterday?

Mr. Laughren: —is that this minister should stop taking the anti-labour advice of the member for Timiskaming and get on with—

Mr. E. M. Havrot (Timiskaming): The member for Nickel Belt doesn't even know what he is talking about. Why doesn't he shut up?

Mr. Laughren: —protecting the workers in this province who need him the most.

Mr. Lewis: The member for Timiskaming has been provoked, I can tell. He's been provoked.

Mr. Laughren: Well, perhaps I shouldn't single out the anti-labour tendencies. Perhaps I should—

Mr. Havrot: The member for Nickel Belt wouldn't know anything about labour because he's never worked a day in his life.

Mr. Laughren: —enunciate the anti-women tendencies, the anti-French, the anti-teacher, the anti- —

An hon. member: The anti-anything.

Mr. Laughren: That's what they call him in Timiskaming, and that's why. So perhaps, Mr. Speaker, it is unfair to the member for Timiskaming to refer to him only as anti-labour, when he really embraces the entire spectrum.

Mr. Havrot: Look whose talking about "anti"; who does all the belly-aching in here?

Mr. I. Deans (Wentworth): Who gives him the pain?

Mr. Speaker: The hon. member—

Mr. Laughren: To him all is progressive in this province.

Mr. Havrot: He is out of order.

Mr. Lewis: What does the member mean he is out of order? He is directly in order.

Mr. Speaker: Order.

Mr. Lewis: It is because of the member we need an Employment Standards Act in order to protect people from him. We'd remove him.

Interjections by hon. members.

Mr. Laughren: As a matter of fact, Mr. Speaker, if we wanted to do most for labour in this province, we'd repeal the election victory of the member for Timiskaming.

Mr. Speaker: There is no section of the bill dealing with that.

Mr. Laughren: No, but there should be.

An hon. member: There may be an amendment.

An hon. member: Correct, that's what we'd do.

Mr. Laughren: It even goes beyond the antis that I've enunciated.

Mr. Speaker: I would ask the hon. member to return to the items in the bill.

Mr. Lewis: He needs the Speaker to defend him.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Laughren: Yes, Mr. Speaker.

Mr. Havrot: Typical propaganda.

Mr. Lewis: Meet me outside.

An hon. member: That's two out of three.

Mr. Lewis: Mr. Speaker, you'd better give him warning now.

Mr. Havrot: Him and who else?

Mr. Lewis: Is the member panic-stricken?

Mr. E. W. Martel (Sudbury East): Is the member in training again?

Mr. Havrot: The member for Sudbury East came back just for this purpose.

Mr. Laughren: Mr. Speaker, it is perhaps a little unfair to bait the member for Timiskaming so much, when really half the blame belongs to the member for Algoma (Mr. Gilbertson).

Mr. Speaker: Will the hon. member please return to the bill, instead of making personal references?

Mr. Havrot: That shut him up.

Mr. Laughren: Okay; well, Mr. Speaker what I am really trying to get through to the minister in a rather indirect, perhaps even convoluted way, is—

Mr. Breithaupt: You said it.

Mr. Laughren: The minister, in the recent legislation that he's brought forth really is not dealing with the problems of unorganized labour in the province. The legislation on the Workmen's Compensation Board, for example, represented improvements; the legislation in this Act, represents improvements; but they don't go far enough and they don't do anything for the unorganized sector of the work force, and that's really the sector that needs the help. The minister continues to refuse to enact the kind of legislation that will be meaningful to those people who need it the most. Perhaps, Mr. Speaker, the solution to the entire problem is that if there is a cabinet shuffle coming up, then the Minister of Labour could switch over to the Ministry of Community and Social Services.

Mr. Speaker: Order, order.

Mr. Laughren: Mr. Speaker, I am trying to stay on the bill, and I hope the minister will listen carefully to the amendments that we propose in the committee stage of this bill. I'm sure he would agree that the amendments and the suggestions put forth by my colleague from Windsor West are invariably reasonable and invariably in the best interest of labour in this province. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker. I know you enjoyed my remarks during the Labour estimates so much that I intend to repeat some of them here in regard to this bill.

Mr. Speaker: Fortunately I didn't hear them, therefore I can't deal with them as repetitious.

Mr. Reid: I'll send you an autographed copy for Christmas so you can enjoy them at your leisure.

Mr. Lewis: Consider them a stocking stuffer.

Hon. Mr. Snow: Why doesn't the member just table them?

An hon. member: He always speaks well of the minister too.

An hon. member: The table is not big enough.

Mr. R. G. Eaton (Middlesex South): That's the fifth time the member has used the same speech.

Mr. Reid: Mr. Speaker, briefly, what I have to say has probably already been touched on by some of the other speakers, and some of course hasn't. However, I want to frame my remarks in a particular context, as I did during the estimates of the Ministry of Labour, during which this party called for a higher minimum wage than that which was brought in by the government opposite. At that time I couched my remarks in the framework that the people who are to be covered, or are most directly affected by this bill, are those who have no effective voice, either economic or political, in the life of this province.

They are those people who are not covered by any trade union movement of any kind. They are the unorganized, those who cannot speak for themselves. Usually it involves very few employees, a handful of employees, working for many and diverse employers across the province, unable for one reason or other to bargain collectively for their economic rights.

In that framework, Mr. Speaker, I would say that again the minister, and the cabinet and the government he represents, are being most niggardly in the bill that is brought in here today. We really probably don't have to discuss it even as much as we have, because the minister announced the provisions that he was going to make almost a month ago, and yet we had to wait this length of time to have the bill before us. In any case, the leader of this party, some of my colleagues and some of the members opposite have touched on the main provisions of the bill. I would like to reiterate my own thoughts on the bill and perhaps underline the concerns that have already been expressed.

The work week; the overtime provisions being cut down from 48 to 44 hours. Again, there's hardly a union contract or an organized labour contract in the province that doesn't provide for a 40-hour week. Now why should those people who, because of the diverse accidents of life, find themselves in a situation where they are not able to join an organized group to bargain for themselves, why should they be at the bottom of the scale? Surely, it's the business of this Legislature to look after those who to some extent are not able to look after themselves.

In that regard, Mr. Speaker, I would suggest that they too should be entitled to a 40-hour week, not an overtime provision from 48 to 44 hours. For some reason, the minister wants to phase this in from January, 1975. Why wait until then? Most of the other provisions of this bill take place as of Jan. 1, 1974.

The minister's answer no doubt will be, "We have to give the employers time to adjust to these new circumstances." Again, with all due respect, Mr. Speaker, the employers have been aware for at least—I believe it was a month ago that the minister indicated his intention to the House.

All right, let's be charitable. Let's give people six months to adjust, but at the very latest it should be June or July of 1974 and I would recommend most heartily to the minister that it become Jan. 1, 1974, in line with the other provisions of his bill. Surely there aren't that many employers in this province—and the minister has never proved otherwise to us—that are going to suffer greatly by having their standards raised so that they can take effect, as most of these provisions do, as of Jan. 1, 1974. I leave that for the minister's consideration.

Again, the second part of the bill, dealing with the closing down of places of employment because of an order made under the Environmental Protection Act, 1971—again these are minimum standards. Of course, they apply primarily to people who are in the organized union movement. On the other hand, if those people are told, because of an order of this government particularly, that as of next week, as of today, as of next

month, their employment is no longer because of the health factor involved to the population as a whole, why should they be made to suffer? Why should they have to carry the responsibility for the cleaning-up of our environment almost single-handedly without any kind of compensation and without any kind of notice?

We have already heard that there can be orders made under the Public Health Act. There can be orders made through the Ministry of Agriculture and Food. There can be orders made by the federal Department of Agriculture through the Food and Drug Administration Act. There's a plethora of municipal, provincial and federal departments that, in this time that we live in, with the concern for the environment, with the increasing knowledge of what we are doing to our environment that comes to us, any industry, any manufacturing concern, any kind of enterprise can be shut down within a matter of hours, or a matter of days. These people will find themselves out on the street without any recourse, without any period of adjustment.

I would say that I think the onus is on the owners of that business, the employers, to ensure that they are operating a healthful, or environmentally safe, business, industry, manufacturing company—whatever it is. But surely the employees themselves cannot be made to accept full responsibility, nor can they be thrown out on the street because of the unilateral action of a government department, which may be justified, but to the worker who suddenly finds himself jobless and unemployable, it certainly is not fair.

I think it's the duty and responsibility of this Legislature to provide some kind of buffer period to provide and ensure that there's some kind of compensation paid to those employees, because, as we must know, part of it must be the responsibility of the employers who are operating under the various Acts. It's their responsibility to know what is safe, what isn't safe, and surely they must protect the employees who have given a great part of their life and have a stake in that job—perhaps not monetary, but certainly through the time they have put in there. Because of the job security that they are losing, surely the employer is required to provide some kind of buffer zone in that situation.

Surely the minister would agree that this is only rational. If it's an ongoing concern, if it's a viable business, presumably they are making profits, they have made profits in the past, they have put something away for a rainy day. Surely then they are in a position to provide something for their employees to keep them going until they can find other and suitable employment.

Mr. Speaker, I have only two other short comments to make. One deals with the provisions for holidays with pay, or the four holidays that are outlined in the Act. There are four this year, if the employee works on those days, or even if the employee doesn't work on those days, and three more next year. I say to the minister, with great respect, again he is being very niggardly. One would almost think that these holidays and the pay for these holidays were coming out of the pocket of the Premier (Mr. Davis) himself.

Mrs. M. Campbell (St. George): Heaven forbid!

Mr. Reid: Surely in this enlightened day and age, we in the Province of Ontario can afford to provide a minimum standard of seven recognized holidays with pay. Surely we don't have to wait another year to give the employees seven days on which they will receive time and a half if they work that holiday, or receive suitable benefits if that happens to be their day off. These are the very minimum. Most but not all organized labour has these. Again, those who are in a sorrier position because they don't have the economic or political strength cannot take advantage of these. Why do we have to wait another year to bring in the full seven?

Mr. Speaker, I want to relate a very personal experience to you, one of which I believe the Minister of Labour is aware. As a matter of fact I am sure he is.

Recently in one of the communities in my area, Mr. Speaker, we had a four-month strike. The ostensible reason for the strike and the reason it went on for some four months, as the minister is aware, was the fact that the employees of that particular plant did not wish to work on the seven statutory holidays that have been listed elsewhere and are listed in this bill.

Mr. M. Cassidy (Ottawa Centre): The member for Rainy River didn't say a word about that strike for a month and a half while this House was in session.

Mr. E. R. Good (Waterloo North): Be quiet for a change.

Interjections by hon. members.

Mrs. Campbell: He went up and settled it. What more does the member want?

Mr. V. M. Singer (Downsview): What did the member for Ottawa Centre ever settle except his own disturbances?

Mr. Cassidy: It wasn't raised in this House until the leader of the NDP raised it first.

Mrs. Campbell: Oh come on!

Hon. A. Grossman (Minister of Revenue): The enemy is over here.

Mr. Speaker: Order, order. The hon. member for Rainy River has the floor.

Mr. Martel: The Liberals are about to do another flip-flop.

Mr. Reid: Well Mr. Speaker, it's very interesting that the member of everything there should raise that particular question.

Interjections by hon. members.

Mr. Reid: Incidentally, Mr. Speaker, I wonder if the member who just spoke is going to return to Ottawa now that he has been hoofed off the island.

Mr. Speaker: There is nothing in the bill about that.

Mr. Reid: No; well we should look after those poor dispossessed people like that poor soul there, Mr. Speaker.

However, to return to the point, the ostensible reason, as I said to the minister, was that they did not want to have the requirement of compulsory work on those particular holidays.

I stand in my place, Mr. Speaker, and I am quite willing to admit that I think within reasonable limits the course of collective bargaining should go on as it has in this province. I don't try to make any political hay out of a strike or out of the breakdown of negotiations between union and management. Perhaps that is too reasonable a position. Perhaps I should stand in my place and make impassioned pleas for the union or management, as some of my colleagues do in this House. I don't see fit to do that. I make no apologies for it. But I do think, Mr. Speaker, that again—I'm sorry, Mr. Speaker, as great as my voice is, I can't compete with—

Mr. Speaker: Could we have a little order, please? There are numerous discussions taking place which are interfering with the hon. member's speech.

Mr. Reid: None of which are as important as these remarks.

Mr. Martel: Well, we can't stand flip-flopping all over the ball park.

Mr. R. Haggerty (Welland South): Welcome back. Did the member for Sudbury East just get in?

An hon. member: It must be Tuesday night.

An hon. member: How was the weather in Acapulco?

Interjections by hon. members.

Mr. Reid: Again, Mr. Speaker, I would suggest to the minister—

Mr. Martel: Will they find another position now? There's one thing about these people; they are consistently inconsistent.

Mr. Reid: —that he give serious consideration to ensuring that there are certain statutory holidays during the year—

Mr. Cassidy: We can also call them saboteurs of the working class, Mr. Speaker.

Mr. Speaker: Order.

Mr. Reid: —in which there is no compulsion and no compunction to work on behalf of anybody.

Interjections by hon. members.

Mr. M. Shulman (High Park): Not gracefully.

Mr. Reid: Clearly, I think again that this should be made a minimum requirement in the Province of Ontario.

One final matter, Mr. Speaker, if I may. Section 3(2) of the bill requires that in complying with subsection (1), no employer shall reduce the regular rate of wages payable to an employee. There is some concern on this side that if one is an hourly employee and one's hours are reduced from 48 to 44 in compliance with the bill, therefore one's hours of work fall by four hours and one loses pay for those four hours.

Perhaps that isn't the intention of the bill, but I say to the minister it is not clear. I would like the minister's clarification. I would like him to stand in his place and say, "Indeed and in fact, if you are presently working 48 hours and because of the bill you now only are required to work 44 hours, if your pay cheque on an hourly basis was $100 a week, even though the four hours are taken off, you will still receive $100. There will be no diminution of that." I hope that the min-

ister will stand in his place, clarify that and state that that is the case.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Speaker. Very briefly, I want to remind the minister of a situation that occurred recently in northwestern Ontario where, under a special programme carried out by the employment standards branch, he sent many officers into the field to look for violations of the Act, particularly in the tourist industry As a result of those investigations, he found that he was able to collect close to $5,000 on behalf of native people who had been exploited by tourist operators.

It is quite obvious, Mr. Speaker, that there are a good many employers who employ native people, who have no economic clout by virtue of the fact that they are not associated with a trade union and are most vulnerable to exploitation, particularly when they are not familiar with or conversant with the laws of the province and the country as a whole. This is particularly applicable to the employment standards branch.

It is quite obvious that when he found over $5,000 worth of violations associated with overtime provisions and excessive working hours at substandard wages, there must be a lot more violations than meets the public eye. In the past year, the minister has assisted over 32,000 employees in getting about $2.2 million as a result of violations of the Act.

I understand that it costs the employment standards branch considerable amounts of money to go around and to police this Act. I spoke privately with the minister, Mr. Speaker, and asked him if there were any penalties for violations of the Employment Standards Act. He wasn't sure; he said he would apprise me of this fact. This is one of my main concerns.

I am wondering if we haven't got some kind of penalty for those who are found in violation of the Act. In effect, what the taxpayer of the Province of Ontario is doing is subsidizing employers across the province who choose to openly flout and violate the provisions of this Act.

I hope the minister will continue the very close scrutiny of those employers in the province who are wont to go out and openly violate this law; that when they are caught they will be charged for any amount of dollars that is required to go out and make an assessment and to collect this on behalf of deserving employees. I don't want to unduly preempt the time of the House, Mr. Speaker, but I do hope the minister will take that into consideration.

First of all, I hope he will do a complete survey of all employers who, for whatever reason, choose to exploit our native people, particularly in remote areas of the province where they are much less conversant with the laws; and, where violations are found, that the errant employer pick up the tab for the cost of collecting those violations rather than passing it back to the taxpayers of the province.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: Yes, Mr. Speaker, I want to say a word to this bill.

My colleague from Windsor West, who put the general arguments effectively and conclusively, ended up by telling the minister that we would support this bill. We are doing that because we are profoundly generous on this side of the House. We are compassionate people of reasonable spirit. The government has got itself into so much trouble in the last 24 hours anyway that we could hardly bear to add to it, and we are simply—

Mr. Speaker: Order please. We are always pleased to have visitors with us in the public galleries, and we are this evening as at any other time—

Mr. Martel: So few of them come.

Mr. Speaker: I must point out to our visitors, though, that they are there as guests, as visitors, and there are certain rules that we ask them to observe; one of them is that they do not interrupt the proceedings by clapping or applauding in any way.

Mr. Singer: Or demonstrating.

Mr. Speaker: We would ask them to maintain silence during the debates. I am sure they are most welcome to be here, but we would ask them to observe the rules.

Mr. Shulman: We know that you know who the villains are.

Mr. Singer: The member for High Park is back.

Mr. J. H. Jessiman (Fort William): Look who's back.

Mr. Lewis: You'd like to have the general sense of decorum that prevails in the House

prevail in the galleries as well, Mr. Speaker—I understand—

Interjections by hon. members.

Mr. Lewis: As a matter of fact, not meaning to be provocative, as the Speaker will perfectly understand, the Minister of Labour shouldn't be lending his name to the legislation that was forced into the House in the last 24 hours. That bill was an abominable bill for him as Minister of Labour to be associated with; it's compulsory arbitration indeed, and he as Minister of Labour is lending his name to it.

Interjections by hon. members.

Mr. Lewis: Mr. Speaker, the whole way in which the Minister of Labour treats matters affecting the rights of working people, whether they be the uprooted and disinherited, as described by the member for Rainy River, or whether they be members of the teaching profession—the attitude he has towards working people generally is totally objectionable and totally unacceptable in this province, and the absurdity of the kinds of legislation which the minister brings in simply corroborates that and makes it manifest.

Obviously there are a couple of things in this bill to which we have to pay homage. They are lowering the work week from 48 to 44 hours. Do they want us to lay ourselves prostrate on the carpet because the Province of Ontario is entering the 20th century? They are going to provide a few vacations with pay on a mandatory basis. Other provinces have been doing it for years. They are going to give workers protection should a plant be shut down by virtue of environmental clauses. They are doing it because of public pressure and because they have no alternative.

What kind of nonsense is it that the minister expects fealty, expects applause; expects commendation because he makes, in that most halting fashion, a few appropriate steps toward the end of the tunnel?

Obviously we can't vote against those things, but in the process we'll tell the minister how he should be extending them and what he should be doing, because in the process, as my colleague from Nickel Belt points out, we still have a lower minimum wage in Ontario today than in British Columbia or in the Province of Quebec or in the Province of Manitoba.

As a matter of fact, British Columbia on Dec. 1 raised it to $2.25 and early next year it will be $2.50. This government still has a lower maximum pregnancy leave right than the federal government. It still has an inadequate number of vacations with pay, which the minister charges is a responsibility for the employers around the province.

There's no reason in the world why he shouldn't legislate a 40-hour week in Ontario. He doesn't begin to comprehend the rights of working people in this province and it matters not what economic weather they fall on.

The part of this bill which I wanted to speak to specifically, which shows just what a record of dismal indifference this whole Employment Standards Act is in many ways, is the termination part. I want to pick up on my colleague from Windsor West because what the minister fails to do with this section or the way in which he applies this section—more accurately and speaking more directly to the principle—really leaves more wanting than I'm able to give voice to.

Let me remind the minister, through the Speaker, that this particular clause involving the right of workers to have termination benefits in case of permanent plant shutdown arose initially as a result of the extraordinary Dunlop debacle in the Province of Ontario. A little plant on Queen St., with some 600 employees, a branch plant of a multinational corporation based in the United Kingdom, closed down three or four years ago and threw all 600 people out of work. There followed a magnificent individual crusade launched by the member for Riverdale (Mr. Renwick) on behalf of the workers he represented to endeavour to get some protection for his workers from the government.

I can remember when Stanley Randall, that quaint, belligerent Neanderthal still sat in the front—

Mr. Bounsall: There is another one.

Mr. Lewis: The member would know a Neanderthal, let me tell him.

Interjections by hon. members.

Mr. Lewis: He would know. He would identify; and his eyes are gleaming as he thinks of it.

Mr. D. C. MacDonald (York South): Put the mirror away.

Mr. Lewis: He is the only prepaleolithic specimen in the House; I have no doubt that he can understand it.

Members will recall when Stanley Randall sat on the front benches and engaged in the exchange with the member for Riverdale.

After a number of months of agitation, pleading and consummately intelligent argument, the government finally succumbed and brought in the termination clause at that time, which has remained unamended to this day in any substantial way.

The cruellest, most ironic blow of all, of course, was that the government wouldn't make it retroactive. It wouldn't cover the 600 workers who were affected by the Dunlop closure. Their lives could go down the drain. With an enormous self-righteousness the government brought in the legislation but made damn sure that those workers didn't receive the benefit of it.

There has followed a series, a succession, of frailties in the Act, exposed for everyone to see. Nothing has happened as a result. I draw members' attention to the Toronto Telegram: John Bassett riding his horse through the newsroom, sweeping everything in front of him, closing down the company, selling out to the Star, getting away with impunity and forcing the workers to go to court, to go to major tribunals and hearings because there was no obvious protection for them spelled out under the Employment Standards Act.

Then members will recall my colleague from Windsor West dealing with Acme Screw and Gear where that company, manipulating the intent of the Employment Standards Act, found yet another gaping loophole through which they dismissed all their employees without termination benefit rights. You remember that the strike began at 12 noon and at 1 o'clock the company declared closure. On the basis of one hour they used that clause which the Employment Standards Act had overlooked in order to prevent them from fulfilling their moral and economic obligations to the workers involved.

Then no sooner was that episode finished than we had the Canada Metal case. When the Minister of the Environment (Mr. Auld) closed down Canada Metal, the cabinet became apoplectic because they suddenly realized to their horror that there wasn't any protection in the Employment Standards Act for all of the workers in Canada Metal thus affected. I suspect that one of the reasons the government never prosecuted that case against the company with vigour was that it didn't know how to deal with the public outrage that would be visited on it if there was no protection for the workers involved.

Fortunately, in the government's terms, therefore, it lost the case in court. The company remained open and the law could be returned to its dead-letter status.

And now the minister runs in here today, full of pride and full of Cheshire smiles, and has a little clause which says that if Canada Metal—which is what this legislation really applies to—or any other plant is closed out as the result of a stop order invoked by the Ministry of the Environment, the workers will be entitled to termination benefits.

Well what a pack of nonsense that is in this case! The clause in the Environmental Protection Act has no authority. It was torn to shreds in the court. It will never stand up. The government couldn't even summon evidence in order to give it authority. So it isn't going to close down a plant under the Environmental Protection Act.

The stop order section of that Act is inapplicable. Until the minister amends that clause in the Act, the Act has no application. So why is he coming in now and bringing an amendment to this Act to deal with legislative consequences of another Act which he knows in advance will not occur?

Does the minister know what is more perverse about it? He knows in advance what will occur. He knows the city of Toronto has said that on Feb. 28 next it will attempt to seek a stop-work order on Canada Metal under the Public Health Act.

Can I remind the minister of the Act? Section 92 says:

> Wherever the local board or medical officer of health is satisfied of the existence of a nuisance, the medical officer of health shall serve a notice on the person by whose act, default or sufferance the nuisance arises or continues, or if such person cannot be found on the owner or occupier of the premises on which the nuisance exists or from which it arises, requiring him to abate it within a time to be specified in the notice and to execute such works and do such things as may be necessary for that purpose.

In the minds of the city fathers in Toronto, executing that notice means closing down Canada Metal. They've not talked about it discreetly. There are no whispers in the corridors, there's nothing secretive about it. They have said openly and directly: "On Feb. 28, 1974, we are going to court for an order to stop production at Canada Metal."

Does the minister know the workers will have no protection at all if that plant closes down, none at all? The clause he brings in tonight applies only to the Environmental Protection Act. It does not apply to the Public Health Act. They will therefore have no protection at all.

What is the minister doing when he introduces this kind of legislation? What is he saying?

Mr. Stokes: Window dressing!

Mr. Lewis: On one hand he is saying to the company: "Go ahead, forget about the control orders on you for environmental pollution. If you don't want to meet the regulations, don't meet the regulations. If the plant closes down or you are forced to stop production, you have no obligations to your employees, so you can do what the devil you want."

On the other hand, the government is saying to the employees—let me put it in the context of the last day's events—"We will legislate in advance to penalize the teachers for their so-called indiscretions but we will not legislate in advance to protect the workers in case of a plant shutdown." In other words, "We will shaft all economic groups equally, however incoherent or foolish it may seem to be on the surface."

I don't know why the minister is doing that. I don't understand this deliberate oversight. It takes nothing at all to add a clause in the Act which says, "the Environmental Protection Act" or "the Public Health Act" and then he is covered, and then he has no worries after the inclusion of that little phrase. But stubbornly, obstinately, he refuses to include it.

None of us knows that the Legislature will be called together early enough to legislate in advance; it probably won't. We'll be called together toward the end of February.

The minister invites a disaster. He says directly to the workers, "We care not about your security." He says directly to the company, "Do what you please with your workers." And the minister sits down and smiles because he brings in a clause which has no application at all, because it derives from an Act which is already rendered irrelevant by the courts.

Maybe it won't be rendered irrelevant in the future if the minister amends it, so we'll support the amendment. But why not expand it? What perversity is this? Why is it that he is so reluctant to guarantee the rights of working people? Why is it that he is so willing on every front to undermine the collective bargaining process, to destroy its validity? What is it about this government, addicted to failure after failure, to error in judgement after error in judgement, to meting out punitive legislation rather than socially useful legislation? The oversight in this bill is what offends us—not its content but the oversight.

As my colleague from Windsor West further pointed out, the government has Dunlop, it has the Toronto Telegram, it has Acme Screw and Gear, it has Canada Metal. You would think the government would learn its lesson. And then two weeks ago today, at 2 o'clock in the afternoon, Hall Lamp Co. in Huron Park near Exeter in the county of Huron—

An hon. member: Centralia.

Mr. Lewis: Actually Centralia, right—gives its employees their walking papers. Three hundred and ninety-six employees on wages and on salaries, at 2 o'clock in the afternoon, direct instructions from the parent plant in Detroit—and there is absolutely no protection for them under this Act. And why? Because Hall Lamp (Canada) Ltd. says, with a smile that could charm only the Minister of Labour and his retainers: "This is a temporary layoff."

The minister stands in the House on a Friday morning and says it is a temporary layoff. The trucks are rumbling down the road to the plant; they have taken out all Chrysler's dies, all Ford's dies, all American Motors' dies; they have bought up the partial inventory; they have bought up the completed stock and they have moved it physically out of the plant; there is nothing but a hollow shell left, and the minister stands in the House and says, "It's a temporary layoff."

Let me tell the minister, the 396 workers who stood at the door for their cheques didn't think it was a temporary layoff. He knows and I know that those cheques have been guaranteed for one additional week by Chrysler Corp., not by Hall Lamp Ltd. He knows and I know that the chances of that plant ever opening again are negligible. He knows and we know that if that plant does open again it will open to only a fragment of the work force that was there before.

We have asked the minister—the member for Huron (Mr. Riddell) has asked him, members of this party have asked him—"What are you going to do to protect the workers involved?" There is nothing in his Employment Standards Act termination clause to provide that protection, as long as he allows that clause to be manipulated by this devilish interpretation of "temporary layoff"; as long as he allows himself and his associates to be toyed with by the management using that kind of interpretation; as

long as he waits two weeks for the receiver to decide on the assets of the company.

You know, Mr. Speaker, you are a knowledgeable businessman, sir. I know of your background.

Interjections by hon. members.

Mr. Lewis: Yes, I appeal to you.

Mr. Breithaupt: I don't think you appeal to him.

Mr. Lewis: I know that I can appeal to your dignity. You look more like Bonaparte every day. And you will understand, even if my confrère across the floor doesn't understand, that it doesn't take two weeks to look into the activities of Hall Lamp.

Come on! A receivership? A firm that goes in to examine the books? A company in Detroit that declares bankruptcy? How long need those workers wait, I ask the minister. How long while we fritter away time in these parliamentary games and the Minister of Labour can't answer whether or not they are entitled to any benefits?

One of the reasons that he can't answer is that he is afraid to answer, because what the answer may well turn out to be—and I'm worried about my capacity for prophecy, because I'm usually wrong, so I'm going to temper it—I am going to tell the minister what I think he is going to learn—and I think he'll agree with me—is that there is virtually no money left in the assets of Hall Lamp at all, if at all; and that the people who have first claim on that money are the banks, the mortgage companies, the trust companies, maybe even the Ontario Development Corp. But the last people who have claim on any cents of any dollar, are the workers who lost their jobs.

It's too mortifying for him to admit that in the House, because here's a company that thumbed its nose at the minister, that didn't advise him of the layoff in advance.

When I asked the minister the question in the House on the Thursday, he hadn't heard of the layoff from Tuesday. They didn't observe the requirements under the Act. They called it a temporary layoff when it was a permanent shutdown. They toyed with the ministry cavalierly and they rendered unto a shambles the termination clause of this statute.

Now how many cases does the minister need before he puts teeth in this clause? How many plants will he allow to close down in Ontario, whether by edict of government or edict of the private sector before he puts teeth in this clause? How many employees will he allow to be exploited economically before he puts teeth in this clause?

This one minuscule amendment doesn't close the gap for the Toronto Telegram employees, doesn't close the gap for the Acme Screw and Gear employees, doesn't close the gap under the Public Health Act, doesn't close the gap for Hall Lamp. If the minister is going to bring legislation in and call it legislation, for God's sake make it real; and it's not real here.

I'm saying to the minister, and then I'll take my seat, the whole attitude of this government, the approach to working people, is the same; and it's getting it into a lot of trouble. I don't know why the government is so sanguine about it. Overnight the Minister of Education (Mr. Wells) has managed to alienate 105,000 people in Ontario.

That's quite a record. I used to think that the Treasurer (Mr. White) single-handedly, would bring the government down. He has a competitor.

I'll tell the minister, that's called the radicalization of the moderates—instantly, spontaneously. We have the Tories to thank and we didn't even need it. It wasn't even necessary. The government did itself this irreparable damage with the whole teaching profession and with much of the community.

Before this week is over, as Minister of Labour, this minister should ask his colleague to withdraw that nefarious bill. Let him do that for his own sake—

Mr. J. P. MacBeth (York West): Don't be too sure of that.

Mr. Lewis: And for the sake of the backbenchers, whose hearts are palpitating over there.

Mr. Havrot: He tells bedtime stories. I know bedtime stories are great. But it's a bit too early for that nonsense.

Mr. Eaton: The great grandstand.

Mr. Lewis: Look at the sweat breaking out on the brow of the member for Timiskaming.

Interjections by hon. members.

Mr. Martel: Neanderthals.

Interjections by hon. members.

Mr. Lewis: Just relax now.

Mr. Speaker: Order. Order please.

Mr. Martel: Neanderthal; like the bill.

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Lewis: The member for Timiskaming is just going to expire in a little spasm. He should control himself.

Mr. Speaker: Order.

Mr. Havrot: The member for Scarborough West is really wound up tonight.

Mr. Eaton: Grandstanding.

Mr. Lewis: Mr. Speaker, you'll pull them to order, I'm sure. It's unconscionable interference. One makes a moderate and generous contribution to the House, and all one gets is barracking for his efforts.

Interjections by hon. members.

Mr. Lewis: May I say finally, to the Minister of Labour, I'm appealing to him.

Mr. MacBeth: The member is a rabble rouser.

Mr. Lewis: Even if he cannot do anything about the other provisions in the bill because his cabinet colleagues won't allow him to, then I ask him to do something about the termination section. Simply add the protective clauses.

May I point something out to the minister? A number of days ago I submitted a private member's bill which was an amendment to the Employment Standards Act. In conjunction with legislative counsel, we drafted an amendment which would cover all eventualities of this kind by way of stop order. There's no reason why that wording can't be incorporated into this bill to make this a bill which has substance to it.

We'll move that amendment if the minister doesn't on clause by clause, and we'll divide on it; because too many workers are going down the drain through the absence of this kind of protection.

But I'm asking the minister to include it himself. We'll applaud him for it; he doesn't have to worry about it, he will have no opposition from us on it—

Mr. MacDonald: Except from the minister's own colleagues in the cabinet.

Mr. Lewis: Except from some of his own colleagues in this—

Hon. Mr. Grossman: Tomorrow we will have East Lynn.

Mr. Lewis: This inveterate rabble over here will also be pleased.

Mr. MacBeth: If we were a rabble, we would be following the member for Scarborough West.

Mr. Speaker: Order please.

Mr. Lewis: As a matter of fact I wouldn't mind that; I am not selective. We will seek our—

Interjections by hon. members.

Mr. Lewis: What has happened to the government members tonight?

Mr. MacBeth: Well, we just listened to the leader of the NDP.

Mr. Lewis: What is this; over-compensation? Just relax.

Mr. Speaker: Order please.

Mr. Lewis: Thank you, Mr. Speaker. Well, you know I know what this is all about; you and I understand it, Mr. Speaker. This is the depths of unease that we are hearing. All of the faint hearts who understand what is going on today and tomorrow.

Hon. Mr. Grossman: We sure do.

Mr. Lewis: They certainly do.

Hon. Mr. Grossman: A great performance.

Mr. Lewis: I haven't seen the Globe and Mail editorial tonight.

Hon. Mr. Grossman: But he knows what it is going to be.

Mr. Lewis: I am not sure what it is going to be; but I know if it says "withdraw the bill," tomorrow the bill will be withdrawn.

Mr. Speaker: Order please. I have asked the visitors to refrain from applause and any demonstration of any kind previously. I ask them again with all courtesy, and hope that they will observe the rules of the House by acting as visitors and not interfering with the proceedings.

Mr. Lewis: Well, I think the Speaker is right. I have been marginally provocative; and I will therefore take my seat and ask the minister to consider the amendments we have put forward.

Mr. Speaker: Are there other members who wish to participate in the debate? If not, the hon. minister.

Hon. Mr. Grossman: After all that, let's have the facts. After the eloquence, let's have the facts.

Mr. Martel: According to who?

Hon. F. Guindon (Minister of Labour): Mr. Speaker, generally speaking I think it is the wish and desire of every cabinet minister—of any government, for that matter—to make a worthwhile contribution during his term of office. I am no exception to the rule, and I can recall when I was first appointed to this Ministry of Labour that I had set my sights quite high, and I had goals and objectives that I wanted to reach during my term of office.

Mr. Deans: Then he went into the cabinet.

Mr. Martel: Right in a tailspin.

Hon. Mr. Guindon: I think I have said it before, and I will say it again, my thoughts were to improve the workplace. Better still, I think I have used the phrase "humanize the workplace in this province." I was hoping, and I still hope, that I will be able to accomplish the upgrading, as well, of the human dignity of the workers in this province. I have attempted to do this.

Mr. Laughren: Well we told the minister where to start.

Hon. Mr. Guindon: Admittedly, during my first 12 months tenure in office, things have not been too easy and we have had some rough times.

Mr. Bounsall: Is this a resignation speech?

Mr. Lewis: Is he stepping down?

Hon. Mr. Guindon: I don't have to mention, of course, the allegations that were made by a Toronto paper concerning the Workmen's Compensation Board, which has required much of my time in study and attending a number of hearings, as members will recall.

Mr. Martel: And the minister is ignoring the most basic need in that bill, too.

Hon. Mr. Guindon: I also have been involved in a number of very volatile situations and strikes in this province; and personally involved on at least four occasions. In short, I did have very little time to consider legislation in my ministry. However, in recent months I have asked to have a study of the role of the Minister of Labour, and we are now reviewing legislation in our ministry—all legislation. This bill that is before the members of this Legislature today is a first step in the right direction.

Mr. MacDonald: A baby step.

Mr. Bounsall: How many more amendments to this Act?

Hon. Mr. Guindon: It has a number of amendments, and we will have more amendments during the winter session, which I propose to introduce later. The members opposite have referred to some of the sections in the bill. I think most of them have referred to the vacation pay increase from two to four per cent; that's an improvement over what it was before. Very few members opposite except the members of the Liberal Party, have given some credit to this ministry for improvements and steps forward in the direction of helping workers who are unorganized.

Mr. Lewis: Sometimes the Liberals vote with the government too.

Hon. Mr. Guindon: And I feel, as minister, that my first responsibility should be to the workers in this province who are unorganized—

Mr. Lewis: Fine; okay.

Hon. Mr. Guindon: Those who have very little or no bargaining power—

Mr. Lewis: So?

Mr. Laughren: Guarantee their take-home pay.

Hon. Mr. Guindon: And the members opposite will find that it is in this very Act that these are the people who will benefit from it.

Mr. Deans: Raise the minimum wage then.

Mr. Lewis: Raise the minimum wage.

Hon. Mr. Guindon: We have just raised the minimum wage, Mr. Speaker—

Mr. Deans: Raise it to a reasonable level.

Hon. Mr. Guindon: —by 20 cents an hour.

Mr. MacDonald: We are trailing half of the have-not provinces.

Hon. Mr. Guindon: And I haven't set any time—as a matter of fact I'm prepared to go through another debate with members opposite if need be, to increase the minimum wage in due course.

Mr. Deans: The minister doesn't have to go through a debate.

Mr. MacDonald: We don't have to debate this; do it.

Mr. Cassidy: It is the cabinet he has got to fight.

Hon. Mr. Guindon: We are dealing, in this Act, with such improvements as four statutory holidays, beginning Jan. 1, 1974—

Mr. Lewis: What a great improvement!

Hon. Mr. Guindon: I know. It was never here before.

Mr. Lewis: That is right.

Hon. Mr. Guindon: This is first. I just want to detail my intentions, if my hon. friends would only be a little patient.

Mr. Lewis: We are not patient.

Mr. MacDonald: The minister is moving with glacial speed.

Hon. Mr. Guindon: At the beginning of January, 1975 three more statutory holidays will be added to the list of the four previous ones.

We also are shortening the work week from 48 to 44 hours beginning Jan. 1, 1975.

Mr. Cassidy: Bully! People stopped working on Saturdays 10 or 15 years ago.

Hon. Mr. Guindon: But of course not being responsible and being in the opposition, on the one hand some members say we should reduce the work week to 40 hours—

Some hon. members: Right.

Hon. Mr. Guindon: On the other hand, the member for Nickel Belt tells us that the 44-hour work week brings less money at the end of the week.

Mr. Deans: Surely the minister understands there is a way to solve that.

Hon. Mr. Guindon: They just can't have it both ways—

Hon. Mr. Grossman: When one is in the opposition one can have it both ways.

Hon. Mr. Guindon: None the less, I think we are working in the right direction, and I for one would certainly carry on in trying to improve the workplace in this province.

The member for Nickel Belt referred to the fact that the Ontario Federation of Labour said that I should resign or something of that nature. They never said such a thing. All they said was that perhaps I wasn't knowledgeable or I knew nothing about the trade union movement.

Mr. Laughren: Well, that's not a bad place to start.

Hon. Mr. Guindon: Admittedly, I do not belong to any trade union movement. I do not belong to either labour or large corporations. I just happen to be a former truck driver, for which I don't apologize.

Mr. Martel: That is the worst type.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. W. A. Stewart (Minister of Agriculture and Food): The member opposite has lived off the public all his life.

Mr. Lewis: What did the Minister of Industry and Tourism (Mr. Bennett) mean at question period today when he talked about the Minister of Labour's experience in the fuel industry?

Mr. Breithaupt: That was later.

Hon. Mr. Guindon: Now Mr. Speaker, I know the needs of both groups, and after 18 months in office—

Mr. Lewis: The minister is a Tory. Who cares what—

Hon. Mr. Guindon: —I can tell members opposite that my integrity as Minister of Labour is unquestionable.

Interjections by hon. members.

Mr. MacDonald: Is the minister trying to argue that that is exceptional? What is the point?

Mr. Lewis: What about his colleagues?

Hon. Mr. Guindon: Mr. Speaker, perhaps—

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Guindon: Perhaps I should also tell my hon. friends—

Mr. Lewis: Is the minister implying anything about the integrity of his colleagues?

Mr. Speaker: Order please.

Hon. Mr. Guindon: I am not a member of this Legislature for only one year—

Mr. Lewis: Which section deals with integrity?

Hon. Mr. Guindon: —or for five years—

Mr. Speaker: Order please.

Hon. Mr. Guindon: I've been sitting here in the back benches for 10 years.

Mr. J. F. Foulds (Port Arthur): And he is still in the back benches.

Hon. Mr. Guindon: I've been a member for 17 years—

Mr. Laughren: What was the minister's majority?

Hon. Mr. Guindon: —re-elected in a riding that is highly organized—

Interjections by hon. members.

Mr. Martel: Spiro Agnew used to talk about his integrity too.

Hon. Mr. Guindon: I was elected by residents of my riding who are all members of the labour movement.

Mr. Cassidy: Good thing; that is the same old speech. I have heard it over and over again whenever the minister is in a tight corner.

Mr. Lewis: We are breathing down the minister's neck in Stormont. That is why these defences. It's nip and tuck.

Mr. Speaker: Order.

Mr. Lewis: We may save our deposit next time.

Hon. Mr. Guindon: In short, I know that the rank and file of the labour movement agree with what I've been doing. Of course we never go fast enough for those who are not responsible.

I had to look at both sides; I had to balance both sides and it is my ambition to go forward as days go by.

Mr. Lewis: Tell us about termination. The minister doesn't have any balance because he is a Tory and believes in—

Mr. MacDonald: What about the termination clause of the contract?

Hon. Mr. Guindon: Yes, most of the members have referred to the termination provisions. There again we are reviewing this; and I've said it before, but one cannot find the solution as easily as the opposition members think.

Mr. Lewis: Certainly the minister can.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Guindon: One cannot. If we were to add to section 2 the Environmental Protection Act of 1971, and if I were to accept the amendment and include the Public Health Act of this province, it could cost one industry $51 million overnight. Now I had to assess this.

Mr. Lewis: What is the minister talking about?

Hon. Mr. Guindon: I had to find out—

Interjections by hon. members.

Hon. Mr. Guindon: We are talking about the closure of a plant under a stop order—

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Guindon: —under the Public Health Act, if this were to be implemented at this time.

Mr. Deans: What plant?

Mr. Lewis: What plant?

Mr. Speaker: Order, please. Order.

Hon. Mr. Guindon: Some industries in this province—

Mr. Lewis: What is the minister talking about? What plant?

Mr. MacBeth: If the member will listen he will find out.

Hon. Mr. Guindon: Well, all right—

Mr. Cassidy: That is a bogeyman. The Treasurer tried that trick on the $50 bill. Don't try it on us. It demeans the minister.

Hon. Mr. Guindon: Okay.

Interjections by hon. members.

Mr. Speaker: Order. Order, please. All hon. members have had an opportunity to speak in this debate. The hon. Minister of Labour sat there very quietly during all of the speeches and I think he should be afforded the courtesy of replying to all the various speeches which were made.

I should like to say further that I fail to understand how we can expect our visitors to observe the rules with the example which has been set by members on all sides of the House.

Mr. Martel: They are being provocative over there.

Mr. Lewis: Maybe we don't agree with the rules.

An hon. member: The member for Scarborough West doesn't know how to take that one.

Hon. Mr. Guindon: Coming back, Mr. Speaker, perhaps to a more applicable example: For instance, if, under the provisions of section 2 and under the Environmental Protection Act, we were to impose closure on a plant as a result of stop order, a plant which employs, let's say 100 people, it could cost the plant up to $160,000.

I'm not saying it is too much. I'm not saying it is enough. I had to assess these costs; I had to find out what are the far-reaching implications.

This is new legislation. I don't know of anything like this in Manitoba or British Columbia. This is something new.

Mr. Lewis: The minister is wrong. He is absolutely wrong.

Hon. Mr. Guindon: We are feeling our way; as a responsible minister I want to feel my way. There is no doubt I am sure—or there shouldn't be—in the minds of members opposite that I want to do the right thing, but I want to make sure it is right first. The provisions of the termination section are being examined at this time and have been for some months.

Mr. Lewis: Yes.

Hon. Mr. Guindon: I propose to come into this Legislature with amendments. I'm looking at every angle. It is not as easy as he says. There is the Bankruptcy Act, which is, as members know, a federal Act, which gives preference or top priority to secured creditors first, or preferred creditors first.

Mr. P. D. Lawlor (Lakeshore): To the banks first.

Hon. Mr. Guindon: Yes; and the wages come after. To reply to one of the members, I have already made recommendations to the federal government to that effect. Just the same I can understand the problem in Ottawa as well. If one does put wages as a top priority, I wonder if lending institutions or banks or any others will lend money to many companies. This is probably the problem in this matter. Nonetheless I'm trying, as much as possible, through our legislation to try to see that the loss of wages and benefits, termination pay, severance pay, and other rights of employees will be protected against as much as possible.

Mr. Lewis: Does the minister realize what he is saying? The defence he is using?

Hon. Mr. Guindon: No, I am not saying that at all.

Interjections by hon. members.

Hon. Mr. Guindon: What are the effects, the implications on the economic climate of this province? this has to be weighed, and I am sure—

Mr. Deans: What is the effect when the family gets—

Hon. Mr. Guindon: And I am sure the federal government is looking at it—

Hon. Mr. Grossman: If they can't stay in business, the workers lose jobs.

Hon. Mr. Guindon: Will it mean less jobs or more jobs; probably less jobs. Well the opposition only looks to the one side, unfortunately—

Mr. Lewis: But the plant is out of business.

Mr. Speaker: Order please!

Hon. Mr. Guindon: The NDP is always on the one side. It represents one segment of the people of this province; we represent them all. And that's where—

Interjections by hon. members.

Hon. Mr. Guindon: That's where the difference comes in; and that's why perhaps we are over here and they are over there.

Mr. MacDonald: The minister sounds like Wacky Bennett—before the last election.

Hon. Mr. Stewart: There's still an opening at the Shakespeare festival for the members opposite.

Interjections by hon. members.

Hon. Mr. Guindon: I know this bill—

An hon. member: Performing before the gallery.

Mr. Speaker: Order, please.

Mr. J. Riddell (Huron): The Minister of Agriculture and Food is getting too close to Huron county.

Hon. Mr. Stewart: That's for sure; but that's what they want to do.

Mr. Lewis: There was a time when this wouldn't have happened to the Minister of Labour.

Hon. Mr. Guindon: The hon. member for Rainy River has referred to a strike in his own area, I believe. It is not my intention to comment on this, because I usually do my post mortem within four walls with my senior officials. But again, we wish to assure him that at any time when our services are required and when we can be of assistance, we are always there.

I must admit here, quite frankly, that we did appreciate the participation and the help of the local member at that point in time. And in order to have everybody happy, I might say that the leader of the NDP has also been helpful to us on some occasions during the year—something I appreciate.

Hon. Mr. Grossman: That is when he's not acting.

Hon. Mr. Guindon: I would like to give him credit for that.

Hon. Mr. Grossman: That's when he is not acting.

Mr. Lewis: I am not as gracious in receiving that; because the minister left those workers for five months before he moved in for them. Five months they walked the street while he dilly-dallied in the background.

Hon. Mr. Guindon: No, we don't dilly-dally, Mr. Speaker. We have a man of experience and expertise. And if the members look at the record of this province—

Mr. Lewis: On the record.

Hon. Mr. Guindon: Ah, the record means nothing to the NDP. It does to me.

Mr. Lewis: No, because—

Hon. Mr. Guindon: When you look—

Mr. Speaker: Order please.

Mr. Lewis: The end is coming for this government.

Hon. Mr. Guindon: When you look at labour relations in this province—

Hon. Mr. Grossman: A great province for work.

Hon. Mr. Guindon: When the minister can stand up here tonight and say that from 95 to 97 per cent of all our labour disputes are settled without a work stoppage, I think this is something to brag about.

Interjections by hon. members.

Mr. Deans: Why is the minister bringing in compulsory arbitration at this time?

Hon. Mr. Guindon: Mr. Speaker, one more comment—

Mr. Lewis: Collective bargaining.

Mr. Speaker: Order please.

Hon. Mr. Grossman: It is not part of the 97 per cent that's why.

Hon. Mr. Guindon: One more comment, Mr. Speaker. The remarks by the member for Thunder Bay were very well taken. The point he raised was very well taken. There has been exploitation of Indian guides in the past. This summer, at my request, we sent a number of officers by plane and by car to investigate. We have found that the situation in northwestern Ontario has improved a great deal, but there were still cases. But I think this was because of ignorance of their benefits, more than for any other reason. Some of the Indian guides never got all their benefits, but we have collected $5,000 for these Indian guides. And all told during the year, as the member has quoted, we have collected well over $2 million in vacation pay, severance pay, and other benefits.

In closing, I would like to refer to section 1 and the comments by the member for Windsor West when he said that it would appear by implication or interpretation that we were limiting the rights or benefits to vacation pay or holidays with pay. I should like to refer my hon. friend to section 9 of the Employment Standards Act, which states very clearly, in subsection 1 of section 9:

> The standards for rates of wages and vacations with pay required under this Act are minimum standards only, and nothing in this Act affects any rights or benefits of an employee under any law, custom, agreement or arrangement that is more favourable to him than his rights or benefits under this Act.

In other words, what we are saying here is that anything in the collective agreement which is better he gets—this is strictly a minimum like our minimum wage. It is not something we recommend. It is strictly a

minimum that I, as the Minister of Labour, have to enforce across the whole province in areas where employers find it very difficult.

I see no reason why I should accept the amendment to section 1; it is already covered in section 9.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Committee of the whole House?

Agreed.

Clerk of the House: The 20th order, House in committee of the whole.

EMPLOYMENT STANDARDS ACT

House in committee on Bill 268, An Act to amend the Employment Standards Act.

Mr. Chairman: Are there any comments, questions or amendments on any section of the bill and, if so, to which section?

Is there anything before section 2? On section 1, the member for Windsor West.

On section 1:

Mr. E. J. Bounsall (Windsor West): Mr. Chairman, I will put the amendment directly first and then proceed to comment on it. I am glad the minister (Mr. Guindon) ended his remarks in the way he did in his reply, because it shows he really does not understand his own Act and what is being attempted here. This amendment will, in point of fact, spell that out.

Mr. Bounsall moves that section 1 of Bill 268 be amended by deleting the words "respecting vacation pay or holidays with pay" in the provisions of part VII or VII-A; by inserting the number "1" after the words "where the director finds" in line 1 of section 5a; by adding a new subsection 2, "that a collective agreement does not contain any reference to a provision or provisions contained in this Act, or where a collective agreement confers a lower remuneration in money or a lesser right or benefit than contained in this Act, the provisions of this Act shall prevail."

Mr. Bounsall: By this amendment, taking out the restricting clauses on vacation pay or holiday pay in clause 5a and inserting the "1" in the new subsection 2, this section would then read:

> Where a director finds:
>
> 1. That a term or condition of employment in a collective agreement as defined in the Labour Relations Act confers a higher remuneration in money or a greater right or benefit, the term or condition of employment in the collective agreement shall prevail.

Let me talk to that one before we get into subsection 2 of my amendment. In his concluding words the minister said the reason they would not extend section 1 as I have suggested is that it didn't need to be extended, because the benefit was clearly laid out in section 9 of the Act. Well, if section 9 of the Act—and here again it refers only to wages and vacations—is sufficient to do what you want and the word "agreement" there can be interpreted to mean "collective agreement"—

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): We are losing the audience. You are driving out the audience.

An hon. member: Where did you come from?

Mr. Chairman: Order, please. The hon. member for Windsor West has the floor.

Mr. J. E. Stokes (Thunder Bay): You drove them out when you didn't call the compulsory arbitration bill.

An hon. member: They are looking at you.

Mr. Bounsall: You just came in. I think that is what drove them out.

If the words "collective agreement" can be read into the word "agreement" here, and a collective agreement is covered as well as simply any other agreement, then you don't need anything of this new subsection 5a that you are recommending in this new subsection 1; you don't need it at all. If that's the case, if "agreement" in section 9 of the Act already is sufficient to mean "collective agreement," then get rid of this whole new section 1 that you have introduced.

I return to my argument on second reading. If you introduce this section 1, which specifies for the first time in the Employment Standards Act reference to collective agreement, and tie it to only two sections, by implication a collective agreement cannot supersede any of the other sections of this Act. This is what is worrying me.

You either say a collective agreement can supersede all the sections of this Act if it is agreed between the employer and the em-

ployee, or you don't put it in at all. If in section 9 of the Act, "agreement" means "collective agreement" and can cover it, then get rid of this whole section 1; stand up and tell us you'll delete the whole thing because we don't need it.

But if it stays, you are saying in effect that in section 9 of the Act, "agreement" does not mean "collective agreement" and we are going to have a new subsection 1 and we are going to have a new subsection 5a of section 1 of this Act that will refer specifically and only to collective agreements, and in collective agreements the only provisions that can supersede the Act are those with respect to vacation or holiday pay.

When I say this I fully understand, Mr. Chairman, that there are other sections of the original Act itself which set our minimums such as the minimum wage. For example, when it comes to overtime pay it is usually stated "not less than time-and-a-half," so that one can pay more than time-and-a-half in certain circumstances.

But there are certainly other entire provisions of the Act which do not set out minimums and in which by inference, if this section is left in—and I think the Ontario Labour Relations Board in its judicial interpretation of this Act would agree with the inference that I am saying would be taken—there would be no other section in which a collective bargaining could supersede.

I refer the members to the first example that I mentioned, and that was, do you intend that to be the case? If you don't, then take my amendment on this section 1 as I've given it, because if you don't it means that if in a collective agreement they agree on maternity leave benefits in excess of 12 weeks, by inference that cannot be done. That provision of the collective agreement could not be allowed to supersede the provisions of this Act.

And it carries through to various other sections in the Act—not including overtime pay, Mr. Chairman, but it would also severely affect the hours of work and the hours of overtime. That is another key section that it would affect.

I think, Mr. Chairman, I'll let my amendment on subsection 1 stand, but I would very much like the minister to reply in detail as to what is intended. I am not sure he understands what is being done here, or if the drafters of the bill understand how the Ontario Labour Relations Board is likely to interpret that. Let him say here, in this amendment, exactly what it is he means. He'll leave it sit exactly the way it is if he intends, in the case of vacation pay, holiday pay, or those other sections in which there are minimums, to have only those sections in the collective bargaining agreement supersede the Act.

In this respect, Mr. Chairman, I point out to the minister that here again this bill comes at the end of the session. Here again, for the purposes of just this section alone, it would be very useful if this bill were in committee outside the House where one could sort out this problem, where one could have the ministry officials replying directly to us, and we could take the time to write it out the way it should be written.

As it is written here this is what is going to happen: Subsection 2, which I've put in this same amendment, reads: "Where the director finds that a collective agreement does not contain any reference to a provision or provisions contained in this Act, the provisions of this Act shall prevail."

I want to speak to that. I haven't quite included all of it. There are two sections to this second part. I want to speak very directly to that.

The Ontario Labour Relations Board has made an interpretation—not an interpretation of the Act per se, rather it deals with the hours of work and overtime; not the pay section, which the minister tends to confuse when he is talking about the Act. We are not talking about overtime pay, we are talking about the hours of work and the number of overtime hours.

In a judgement dealing with that section, the board came out with one of the most convoluted, involuted pieces of thinking I have ever seen. They said with respect to overtime, unless the provisions of the Act are stated in the collective agreement, or the phrase "voluntary overtime" is included in the collective agreement, the union or employee representative has agreed beforehand to any amount of overtime which the employer asks him to work. He has agreed beforehand to work that.

If one sees an Act in the Province of Ontario which says the hours of work will be eight hours per day and 48 hours per week before the overtime hours provisions start to take place, one has always assumed up until 1970 or 1971 when these cases started to come forward that this applied irrespective of collective agreements, and it didn't have to be written into collective agreements.

One found from that interpretation of the Ontario Labour Relations Board, perhaps aid-this wasn't the case. If they wanted protec-

ed by the employment standards branch, that tion of the eight-hour day or the 48-hour week they had to write it into their collective agreement. Their collective agreement superseded the Act in that case. If they didn't have any reference to it in their contract it meant, incredibly, that they had been deemed already to agree to any amount of overtime that they were asked to work.

I don't think you will find that sort of interpretation of any other piece of legislation in the Province of Ontario, Mr. Chairman. So this section, this first half of this second amendment, is very important; because that is exactly what it would clear up. If the director finds the collective agreement does not contain any reference to a provision or provisions in this Act, the provisions of this Act shall prevail. So if a company is organized, the employees will know that they have the protection of this Act, without having to strike over it.

This is exactly the major point of the UAW strikes in the province this fall. In order to get the protection guaranteed to the unorganized in the Employment Standards Act, this was their No. 1 bargaining point in Chrysler, Ford and GM, and they had to strike over it, when there should have been no need to strike over it. They should have had the protection of this Act.

That's why this is so important, Mr. Chairman. The Minister of Labour, with this amendment, has the opportunity to say we don't really mean for people to have to strike in this province to get the protection of the hours of work and overtime hours in the Employment Standards Act, just because they happen to be organized, which is the present situation.

Mr. Chairman, the Minister of Labour, when we get to his Labour estimates each year, takes a great deal of pride in pointing out—and justly so, the way his mediation branch operates effectively in so many cases—the number of contracts that have been signed without resort to strike, which is usually over 95 per cent, and the percentage of employee hours lost through strikes invariably is less than one per cent of the man-hours worked, around 0.2 per cent. Believe me, it's taken the last couple of years to become clear that one has to strike to get the protections of the Employment Standards Act in this section.

One of the unions in the Province of Ontario has decided to do it this year. You're going to see with virtually every single contract in this province that comes up for negotiation from here on in, that one of those points which they're going to have to go to strike over—and they will—is a clause calling for voluntary overtime, so that the provisions of this Act extended to everyone else in the province will apply to someone operating under a collective agreement. And there's no need—

Mr. R. Haggerty (Welland South): Are you suggesting they bring in compulsory arbitration?

Mr. Bounsall: I'm not suggesting the minister ever bring in compulsory arbitration—ever.

Mr. Haggerty: That's what you said.

An hon. member: Unlike the Liberals.

Mr. Bounsall: Unlike the members over there who find various occasions where it would be useful.

Mr. Chairman: Order, please. Back to the amendment.

Mr. Bounsall: There is nothing in the remarks I've made with respect to this bill that says anything about compulsory arbitration.

Mr. Haggerty: You want him to bring in legislation.

Mr. Bounsall: All he has to do is bring in legislation. If the hon. member for Welland South doesn't understand it, he has to bring in legislation that allows the provisions of this Act to supersede a collective agreement if the collective agreement just doesn't happen to mention it.

Let me put it very personally; this example occurred a couple of years ago in my own city of Windsor in the salt mines. The employees in the Windsor salt mines are rather an older work force; there has been a constant number of workers for a large number of years.

Two employees, one aged 57 and one aged 55, were asked to work a double shift of 16 hours, and at their age, in a mine, they said no. Looking at this Employment Standards Act, they said no; the Employment Standards Act says eight hours a day, or 48 hours a week. And, of course—you know, this sad story is repeated time and time again in this province—they were suspended.

They found out that because they had a collective agreement which didn't say anything about overtime—it said nothing about overtime hours, everyone assuming that one would automatically have the protection of the Employment Standards Act—in fact they

had no grievance; they lost that grievance and the suspension held. That's the type of situation that we're seeking to avoid by the first half of this second amendment.

Mr. Chairman, at the same time, the second half is just as important because where it suits the employment standards branch in this ministry, I would suspect that if, in a collective agreement and in a key provision such as is in the Act—particularly as it occurs in sections of the Act, like equal pay for equal work; particularly with that provision—if a contract is negotiated collectively and a collective agreement signed which happens to contain a provision less than that given by the Employment Standards Act, I suspect the Ontario Labour Relations Board, the employment standards branch and your ministry are likely to say, "I am sorry. We can't do anything there. The agreement in that case supersedes the Act even if a benefit is not—"

Hon. F. Guindon (Minister of Labour): No.

Mr. Bounsall: All right, then.

Hon. Mr. Guindon: Mr. Chairman, we have already collected $500,000 in one case for employees.

Mr. Bounsall: Okay. I gather the minister has no problem in writing this clearly into the Act, so that if he is going to have a section which gives us collective bargaining, he has no objection to accepting this into the Act so it is quite clear for everyone in the Province of Ontario to see.

Mr. T. P. Reid (Rainy River): Mr. Chairman—

Mr. Chairman: On this amendment?

Mr. Reid: Yes, I'll be very brief, Mr. Chairman.

Mr. Chairman: All right, the member for Rainy River.

Mr. Reid: I suppose the simpler the concept, the longer we have to talk about it, and I'll try to reverse that. I thought section 9 of the Employment Standards Act was quite clear. The member who moved the amendment obviously knows of some experiences in which it hasn't been clear at least in the minds of the Ministry of Labour in this regard.

This party will support the amendment but I would like to hear the minister's comments on it because I have always been under the impression that the agreement superseded the Act or in the case of the agreements being lesser than the Act, those agreements had to be brought up to the minimum standards of the Act. That's always been my understanding. I have never had any experiences to the contrary but if there is any doubt, I think we should clarify it and for that reason we will support the amendment.

Hon. A. Grossman (Minister of Revenue): First you are going to support the amendment, then you want to hear the argument.

Mr. M. C. Germa (Sudbury): Mr. Chairman, I'd like to say a couple of words on this. I think the member for Windsor West has really struck a very dangerous point here and I am pleased that he did see fit to enter the amendment.

I think part of the problem may hinge around a statement the minister made 15 minutes ago when he intimated that he was quite an innocent as far as the trade union movement was concerned. I think I have to accept that he is one of the innocent angels. He was probably the Angel Gabriel when he went into the cabinet but now he is just another Tory.

We can't trust him any more than the rest even though he stands there and snowballs us with marshmallows. He pelts us and buries us with them, and he stands there and says this minister has the feeling of the workers at heart and he wants to do everything to help them. Why don't you change the law to allow them to get organized? It's your lousy legislation which is allowing only 35 per cent of the people of Ontario to be organized.

Mr. F. Drea (Scarborough Centre): Straight bunk.

Interjection by an hon. member.

Mr. Germa: You harass them and you hound them. Your legislation is not conducive to organized labour and that's why we have to go along with nitpicking minimum wage laws—

Mr. Drea: You should take them down to those racket unions at the royal commission.

Mr. Germa: —and the way you propose them. The best favour you can do to organized labour is to take the roadblocks out of the way and let them get organized.

Mr. F. Laughren (Nickel Belt): Listen to this member rather than the member for

Timiskaming (Mr. Havrot) every now and again.

Mr. Drea: Straight bunk!

Mr. Germa: Section 9, to which you referred as rebuttal to this amendment, as far as I am concerned covers the whole ball park. You yourself admit it so why would you want to confuse the issue by adding this and detailing two specific points which are covered by this Act? I can see some slippery lawyer and some unscrupulous employer taking this to court and causing a $5,000 lawsuit just because of those two items you have included there.

I have a union contract here which has about 52 items in it over and above those two items there. Any one of those 50 items not covered there could be contested by some smart labour lawyer and some unscrupulous employer who could refer to this section of the Act.

It's not that the minister doesn't understand what the intent of his legislation is; it's how the courts will interpret it and how the employer will usurp it to his own benefit. There are employers like that, there are a lot of them like that around; that's why you have to continue to pass laws trying to protect workers from being exploited. I ask you either to delete this section completely or to accept the amendment as presented by my colleague.

Mr. Chairman: The hon. minister.

Hon. Mr. Guindon: Mr. Chairman, there is a very specific reason for having this section 5a in the Act. It is to deal with a situation, for instance, where in certain collective agreements vacation pay and holiday pay are lumped as a total percentage of the wages—that is, nine or 10 per cent—and it is impossible to segregate between the vacation pay and the holiday pay. We feel that by putting this clause here it makes it easier for them to see. That is the only reason. I agree that any collective agreement supersedes and prevails over anything in here.

Mr. Reid: But if they are under they will come up?

Hon. Mr. Guindon: Always, but we want to be able to segregate it in those cases where it is in a lump sum. For instance, when vacation and holiday pay is 8½ per cent or 9¼ per cent, we must be able to segregate between these two items.

Mr. Chairman: Those in favour of Mr. Bounsall's motion will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

Shall we stack this with any other possible amendments?

Agreed.

Mr. Reid: Mr. Chairman, I would like to move an amendment to section 3 of the bill.

Mr. Chairman: Anything on section 2, then? The member for Windsor West.

On section 2:

Hon. Mr. White: Well, he emptied the galleries.

Mr. Bounsall: What is that?

Hon. Mr. White: The member for Windsor West emptied the gallery very quickly. I have never seen it done so smoothly.

Mr. Bounsall: Right, right. They clear out. All the Treasurer has to do is open his mouth and a few more leave.

Mr. Laughren: Why doesn't the Treasurer go back to the Westbury?

Mr. Bounsall: Old Seven Per Cent they call him; and they can't stand to look at him.

Hon. Mr. White: In 15 minutes he'll clear out the whole gallery.

Mr. Bounsall: Mr. Speaker, I talked at some length, and so did the member for Scarborough West (Mr. Lewis), on the termination provisions and the lack of the amendments to the termination section provisions of the Act. Both of us mentioned on second reading our unease at the stop-work order being protected only by the Environmental Protection Act, and the reasons for that.

I therefore would like to make an amendment that would extend that. At the same time, a private member's bill was introduced by the member for Scarborough West covering this point. And at that same time in the introduction of that bill, he put forward what our party's stand on what reasonable termination pay should be; which is not eight weeks, as according to the Act, but 16. I'll also add that provision to this amendment.

Mr. Bounsall moves that section 2 of Bill 268 be amended by deleting the words "the Environmental Protection Act, 1971" in subsection (3a), and substituting therefor, "contained in any statute of Ontario, and the employer shall pay to each person affected

an amount equal to the wages to which the employee would have been entitled, at the regular rate for a normal non-overtime work week, for the period of 16 weeks, or until such time as the stop order, direction or notice is lifted, whichever is the lesser."

Mr. Bounsall: Mr. Chairman, the word "or" should be in there. It would read then "under or contained." There was an "or" there that I had taken out.

Mr. Chairman: It is understood that the word "or" is in there. Can you comment on this then?

Mr. Reid: Mr. Chairman, is this the time that I can move a sub-amendment to the amendment?

Mr. Chairman: Yes, you could if it's meant to amend this.

Mr. Reid: Yes. You see, Mr. Chairman, I had the original amendment here.

Mr. Chairman: Well, make sure it doesn't duplicate it.

Mr. Reid: No, it contains an addendum. The amendment would read, "contained in any statute of Ontario, municipal bylaw, federal legislation or regulation."

Mr. Chairman: It looks as though you've added a few words in there. Does the hon. member for Windsor West wish to make a few comments on his amendment while the member is writing his out or changing it to conform?

Mr. Bounsall: Yes, thank you, Mr. Chairman. I get the feeling that in a sense we've said it all before here this evening as to the justification—

Hon. Mr. Grossman: The member sure has.

Mr. M. Cassidy (Ottawa Centre): It is worth saying again though.

Hon. Mr. Grossman: He made his point.

Mr. Bounsall: —of why it should be contained in any statute of Ontario. Irrespective of that, using the rights which one has—

Mr. Laughren: Despite that.

Mr. Bounsall: —we feel this is very important. This is not really a step forward, if all you do is say that termination of employment under the stop work order of the Environmental Protection Act is going to be sufficient, when you leave all the other statutes including the one coming up in February under the Public Health Act—

Hon. Mr. Grossman: The member said that before.

Mr. R. D. Kennedy (Peel South): It is in Hansard. He said it before. We read Hansard before.

Mr. Bounsall: All right. I'm glad the Minister of Revenue was listening so closely to everything I said.

Hon. Mr. Grossman: It made a lot of good sense.

Mr. Bounsall: All right, then why doesn't the minister talk to his cabinet colleagues?

Mr. Laughren: The Treasurer didn't hear it yet.

Mr. Bounsall: Perhaps the Minister of Labour should talk to the Treasurer on this point because, in reply, I'd like to know something in detail. Maybe that's where he got his figure of the $51 million it would cost if he brought this thing under the Public Health Act.

What groups of plants that none of us have heard about yet will cost the employees in those plants upwards to $51 million if the Public Health Act or the other statutes of the Province of Ontario were written in here rather than just the Environmental Protection Act? I'd like to know that. If the Treasurer had got involved, we may suspect that was just the normal Treasurer's calculations and the minister could be forgiven. If not, I'd like to know where that comes from and, if that is true, although I can't hardly believe that could be true, then he really pulled one over on us.

You've confirmed our worst suspicions about this section. You've put in a section that looks great on paper but, boy, it's going to be $51 million not paid to employees out there, if we are careful not to put it in the Public Health Act here. You can't have it both ways. Either there is $51 million not going to be paid out—

Interjection by an hon. member.

Mr. Bounsall: He mentioned $51 million in reply to second reading. If that was just a rough figure pulled out of the air to serve out for the press as to why he couldn't put in the Public Health Act, then let that also be cleared.

An hon. member: Positively shameful!

Mr. Bounsall: Explain that $51 million and make it very clear to us, if that $51 million

was simply a figure plucked from the air and has no basis in reality, why, particularly with the case of Canada Metal coming up, he will not add the Public Health Act or all the other statutes in the Province of Ontario when, by action under those statutes, by a direction made or a work order issued by provincial statute, those plants or hospitals by inference maybe, have to be closed down.

I have no objection to the suggestion from the member for Rainy River that it should also include stop-work orders under a federal Act in the Province of Ontario, or if there is an Act by them that the Ontario statute doesn't cover, which they can do on their own and isn't subject to any of our statutes, that also should be applicable in this part.

I think that is a good suggestion in those two areas not covered by a Province of Ontario statute. That is perfectly acceptable to us; the principles of both are the same.

Mr. Chairman: Perhaps I should place Mr. Reid's motion.

Mr. Reid has moved an amendment to Mr. Bounsall's amendment, to add after the words "any statute of Ontario" the following words: "any municipal bylaw, provincial regulation or federal regulation or legislation."

Mr. Reid: Mr. Chairman, I would like to say a few words. That was my original motion, and due to a mixup in my being unable to read part of my writing, I would have put that previously. For the benefit of the Minister of Revenue, for whom I know one has to repeat these things almost ad infinitum before he catches on, I think the principle is obvious. We have been over it numerous times.

Hon. Mr. Grossman: You said yourself you overlooked it.

Mr. Reid: We feel that there is an obligation upon the employer to provide for his employees. It is the employer's responsibility to be cognizant of the various bylaws, provincial laws and regulations and federal laws and regulations. It shouldn't be the employee who should have to suffer because of a detrimental environmental or health factor as a result of that kind of operation.

We would urge your consideration. We know that you won't accept it, but we hope that you will give consideration and bring in these amendments in the following year. However, we will cause a division on this, and we would ask that the minister, who has that great concern for the working man, to accept this amendment.

Mr. Chairman: The hon. minister.

Hon. Mr. Guindon: Mr. Chairman, very briefly, I would, first of all like to repeat that we are pioneering in this field; every member knows this. It is something new that has come about.

Mr. Haggerty: After 30 years.

Hon. Mr. Guindon: Secondly, I think our debate here is quite academic. The purpose of the notice of termination provision in the Act is to give employees an opportunity or the time to get another job. That is the main purpose of this section.

Mr. Reid: Right. We understand that.

Hon. Mr. Guindon: It is quite academic, however, to talk about a stop-order under the Public Health Act. Perhaps most members don't realize the procedure and the time it would take, which in effect would give the employer plenty of time to give the proper notice. I am informed that the procedure requires an order from the Supreme Court, which would take as long as six months. So in fact it is quite academic.

However, I will repeat: We are pioneering. I am trying to plug the loopholes, as was suggested by members opposite, and I propose to make some suggestions in the winter session along those lines. I cannot accept the amendments.

Mr. Bounsall: Mr. Chairman, I do not want to be excessively picayune here—

Hon. Mr. Grossman: But?

Mr. Bounsall: But, of course. I am sure the Minister of Revenue would like to know—

Mr. J. F. Foulds (Port Arthur): With the Minister of Revenue egging him on, he will be.

Mr. Bounsall: —where $51 million worth of expenditure would come on behalf of employers.

Hon. Mr. Grossman: I have faith in the minister's integrity.

Mr. Bounsall: Is that just plucked from the air, Mr. Minister?

Mr. Chairman: I will place the amendment to the amendment first. Those in favour—

Mr. R. F. Nixon (Leader of the Opposition): No, Mr. Chairman. When the minister was going to explain to the House what industries were going to close down if this

amendment passed, because it would cost $51 million, perhaps we should have an explanation.

Hon. Mr. Guindon: I never mentioned any industry; I was just talking in terms of figures. I said, for instance, if you had 100 employees and if you had to abide by the provisions of the Act as it is now, it could cost you as much as $165,000 or $170,000. Now if you add the number of employees to this, you can build up a very large amount.

Mr. R. F. Nixon: To $51 million? I think one must be specific about this.

Mr. J. R. Breithaupt (Kitchener): But, Mr. Chairman, surely the minister has something further than just a mathematical aberration when he picked the number $51 million? If he has some examples, perhaps he could give them to us? If he doesn't, how did he really arrive at that curiously unrounded figure?

Hon. Mr. Guindon: All right. Very simply, if you have a plant, for instance, with 16,000 people—

Mr. S. Lewis (Scarborough West): With 16,000?

Hon. Mr. Guindon: Right.

Mr. Lewis: Which plant did you have in mind?

Hon. Mr. Guindon: Well, you could have some plants with 10,000 people or with 5,000 people and you may have some with 16,000 people. And perhaps by next year—I don't know if you have read the Statistics Canada figures today—since the rate of unemployment in this province is as low as 3.3 per cent; we have more employment.

Mr. Lewis: What are you talking about?

Hon. Mr. Guindon: Well, I am picking a figure out of the air: If you have 16,000 employees—

Interjection by an hon. member.

Hon. Mr. Guindon: —and you are paying an average of $5 an hour, for instance, and giving no notice, you'll be required to pay 16 weeks' salary in lieu of notice, which amounts to roughly $51 million.

Mr. Chairman: I'll place the amendments then.

Mr. Cassidy: Mr. Chairman, could the minister just go on, though? Where are these plants employing 15,000 to 20,000 people?

Hon. Mr. Guindon: I have not specified any plant. I said, how many plants do you have with 100 employees in this province? Hundreds of them. You have some with 5,000, 12,000—

Mr. Cassidy: No, but when I heard the minister he said specifically, and I quote—I have the quote here—that there would be "a loss to industry of $51 million if shutdowns under the Public Health Act were included under termination pay provisions." That was what the minister said—

Hon. Mr. Guindon: No, no. I don't want to be misquoted.

Mr. Cassidy: —and I don't think he should fool around with facts by putting this kind of threat before the House.

Hon. Mr. Guindon: It's not only under the Public Health Act; it could be under the Environmental Protection Act; it could be under the Safety Inspection Act; it could be under the Income Tax Act; it could be under so many Acts.

We don't know all of it at this present moment. That's why we are just opening the door. I admit it's narrow, but the intention is there and I hope the industry knows it.

Mr. Chairman: Order please.

Interjections by hon. members.

Mr. Chairman: Order please. All of this discussion is very hypothetical at this time.

Mr. Cassidy: How many man-weeks of shutdowns were there last year?

Interjections by hon. members.

Mr. Chairman: Order.

Interjections by hon. members.

Mr. Cassidy: We think when a man is put out of work, he should be entitled to termination.

Mr. Chairman: Order. The member for Ottawa Centre.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports progress and asks for leave to sit again.

Report agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House, I would say that we will carry on tomorrow morning exactly where we left off tonight, in accordance with the business called last evening.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:35 o'clock, p.m.

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Morning Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 10 o'clock, a.m.

Mr. Speaker: I believe the intimation when we adjourned last night was that we would proceed with the same order of business and I therefore take it that we will defer the routine proceedings until 2 o'clock this afternon. Is this correct and agreed upon?

Agreed.

Clerk of the House: The 21st order, committee of the whole House.

EMPLOYMENT STANDARDS ACT
(*continued*)

House in committee on Bill 268, An Act to amend the Employment Standards Act.

On section 2:

Mr. Chairman: On section 2 of Bill 268, there is an amendment to the amendment moved by Mr. Reid—

Mr. M. Cassidy (Ottawa Centre): I was on my feet when the House adjourned last night, Mr. Chairman. I think I can be very brief right now.

The thing that bothered us on this side was the estimate of $51 million given by the minister as the cost of accepting the amendment proposed by the hon. member for Windsor West (Mr. Bounsall). Would the minister now agree that the figure of $51 million was a complete fabrication with no basis on fact?

Hon. F. Guindon (Minister of Labour): Oh no, Mr. Chairman; it's not a fabrication. I think if my hon. friend goes through case histories of employees, as I stated last night, 100 employees in a particular firm could cost as much as $165,000, depending on the salary this particular plant is paying. I am just giving some examples. The reason we're pioneering in this field, and I must admit I'm feeling my way through this, is that it's something new.

Mr. Cassidy: But Mr. Chairman, what the minister is saying, then, is that if all of the 2.5 million or three million workers in the province were to be put out of work because of orders issued under provincial legislation, then at that point, Mr. Chairman, there would be a liability against industry which would amount to—well let's work it out.

At about $3,000 a worker, did the minister say? For two million workers that's equal to $6 billion or $7 billion. The minister might have just as well said that.

Let me put the question to the minister again, though. While I understand his arithmetic, my suggestion is that the figure he put forward was a complete fabrication, completely unrelated to any experience of closures under provincial legislation in recent years. There was no attempt on his part, either to measure anticipated closures that might occur in the coming year because of provincial legislation, apart from the Environmental Protection Act, or on the other hand to measure those closures in previous years, and then to put a dollar figure on what the legislation would have cost had it been in force last year.

Am I correct about that?

Hon. Mr. Guindon: Perhaps I didn't catch all the hon. member said, but I have here a schedule as to what it could cost in certain cases as a result of closure of a plant under a government order. It varies from 100 employees to, let's say, 16,000, 17,000 or 18,000, depending. It's all based on the week of required notice. In some cases it could be 16 weeks; it could be 12 weeks. Depending on the average hourly rate, you have some fantastic amounts.

So that's the reason, as I said, and I think I told the members last night, we are pioneering. We want to make sure, as I am feeling my way in this field. It is still an unknown quantity.

Mr. Cassidy: Mr. Chairman, does the minister honestly believe that the entire GM plant in Oshawa is going to be closed down by a provincial order under the legislation that exists in the Province of Ontario right now? Doesn't he accept that if, for example, there's a problem in the foundry out at GM in Oshawa and that's closed down, only a few hundred workers will be affected; that

if there is an environmental problem it will be in a particularly dirty operation, let's say the Inco plant up in Sudbury, and this is never going to affect the numbers of workers the minister uses in his example?

And doesn't he accept that he has simply put up this figures of $51 million as a scare, in the same way as the Treasurer (Mr. White), who is now leaving the House, suggested that we wouldn't get $50 to pensioners until February if nothing was done, if the Legislature didn't pass that other bill before the end of November? Isn't it just in the same kind of realm of fantasy that the minister is acting when he puts that figure before us?

Hon. Mr. Guindon: Not at all, Mr. Chairman. It is not a scare at all. Only, being responsible, I have to make sure before we put into legislation any provisions of this nature. It's no scare.

Mr. Cassidy: Let me ask this then: Does the minister believe that a company that is closed down, say under the Public Health Act, which is a major one that we can think of in this particular case; maybe he could say what other Act, besides the Environmental Protection Act and the Public Health Act, has he in mind as legislation under which the amendment from the hon. member for Windsor West would apply? And where there would be a closure leading to the need for this termination pay? What other Acts besides those two particular Acts?

Hon. Mr. Guindon: That's exactly the question. I don't know how many Acts could apply in cases like this. You have your Inspection Safety Act, for instance. What about the Income Tax Act? If income tax is not paid, the federal government could issue a stop order or close the plant. These are the things we are presently reviewing and checking before we can put anything into legislation.

Mr. Cassidy: Well, Mr. Chairman, what about the case specifically before the House, the Canada Metal case, where we don't know whether the Environmental Protection Act or the Public Health Act will be involved? In that particular case, does the minister really feel that the fate of the workers, many of whom have been working for 20 or 30 years in that plant; their financial security while they look for other jobs, which is going to be very difficult, or while the plant is closed down for an extended period of time while it adapts to the requirement that it should have met years ago; their fate and $2,000 or $3,000 of income for them should depend solely and specifically on whether the authorities move under one Act or the other? Does he feel that is just or right?

Hon. Mr. Guindon: In the case of a plant like the Canada Metal plant, I presume, if an order was placed under the Public Health Act, my information is that it would take several months before they could really get an order from the Supreme Court, in which case the company would have plenty of time to give notice to the employees and to meet the requirements of the Act. So really what we are talking about here is perhaps academic, because in practice we don't see how it could possibly happen.

Mr. Cassidy: Well, wait a minute. The minister was saying a minute ago that it might cost $50 million for unexplained dangers of closure that he couldn't anticipate. Now he says, when we get down to a specific case, which is the one most directly covered by the amendment from the member for Windsor West, it'll take several months to get a court order from the Supreme Court, and therefore the company has a lot of time to terminate in the normal kind of way.

But, in turn, what that means, Mr. Chairman, is that if the company does terminate and says, "Okay, we're going to pack it in; we are just going to go out of business," then it becomes liable for termination pay under the normal provisions of the Act.

If they let that case run right through the Supreme Court, though, and lose and have to shut down, then according to the loophole you're leaving in this legislation, which is an invitation for them to do just that, they will not be liable to pay a penny of termination pay; and that is simply unacceptable.

Would the minister accept an amendment which simply referred to the Environmental Protection Act and the Public Health Act in order to tie that particular loophole down, even if he is so timorous about other loopholes that may still exist?

Hon. Mr. Guindon: No, Mr. Chairman, I will accept no amendment at this point in time.

Mr. Chairman: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Chairman, I think the attitude of the minister is reprehensible in that he has a great tender spot in his heart for the corporate balance sheet but he doesn't seem to have any consideration for the balance sheet of the workers.

If there is a social cost involved, and there will be a social cost involved, as the result of any ministerial orders, either under the Environmental Protection Act or, as our amendment indicates, under any other Act, who should be liable for this social cost? Should the worker continually have to pay the social cost or should the corporations have to share some of the responsibility? I think that is the point that is under discussion right now.

Who is liable for the social cost? The workers' paycheque or the corporate balance sheet? Now, this is precisely where your whole attitude has been going in the wrong direction. You treat the corporate balance sheets with such tender hands; they are like eggshells as far as you are concerned. But the workers' paycheque: "Oh, it can go to hell. We don't care if these people are denied 16 weeks' wages—$2,000 or $3,000. Let the worker pay the social cost." That's your attitude. "Protect the corporate balance sheet."

How do you answer that? Is that whom you are going to call upon to pay these costs? Will it be the worker who has to pay?

Hon. Mr. Guindon: Mr. Chairman, I have no special inclination for any corporation or for the balance sheet of any corporation. I've said it before. I've always fought some of these large corporations myself and I know where their shortcomings are.

However, the intent of this legislation is to give the employees an opportunity to find a job in the meantime in case of a closure which happens too suddenly. They can always have recourse for some time to the Unemployment Insurance Commission as far as the layoff is concerned.

I just have to say to you that with this new legislation we're showing our intention. I think corporations will realize that we have the concern of the employees in cases where notices are not given to them in the appropriate time. As I say, we're opening the door. It's not wide open, and we all agree, but we want to make sure first. If later on I can improve on it, I'll be back before this same Legislature and will make some amendments.

Mr. I. Deans (Wentworth): Let me ask just one question. What precisely do you intend to do at the end of February, 1974, when under the Public Health Act there is an effort made to close or to stop the operations of Canada Metal?

This was said last evening, and I just want to clear it up. The Minister of Education (Mr. Wells) said it's necessary to bring in legislation now to forestall something which he sees occurring within the next month. You know and I know that the city of Toronto is going to move under the Public Health Act. It's common knowledge. What does the minister intend to do to protect those workers at that time, in the event that it doesn't take months to go through the court and in the event that the company doesn't fight it and simply complies? Those things are possibilities. They may not be probabilities but they're possibilities.

Is the minister prepared to bring in some kind of emergency legislation, two or three paragraphs now, during this session, in the next couple of days, sometime before perhaps next Wednesday when we rise, to cover the eventuality of the company accepting the effort by the health department of Toronto and bringing in an order to close under the Public Health Act? Then if they don't do it, the legislation can die. And if they do, in fact, close the plant then the workers are covered in that circumstance.

Hon. Mr. Guindon: It's always been my policy really to take the interest of the employees, and as minister responsible I do share this obligation. However, at this stage, not knowing the far-reaching effects and implication of this legislation, I cannot come up and go further than I have now.

Mr. Deans: I understand. No, I'm not asking you that. I don't want to leave you with the impression that I am. We've asked you to amend it. We know you're not going to amend it and, therefore, let's just deal in the specifics, the effect of what is going to occur in February, 1974.

You have awareness of it. I have. Everyone else here has. The workers in Canada Metal understand. The management knows. Toronto city hall understands. Surely, at this point, there is nothing far-reaching about saying that you will bring in a piece of legislation to be passed by the House which will be aimed at correcting the problem which will exist at Canada Metal—and only that problem—at this time, until you've studied the far-reaching effects as they might affect general legislation.

I just don't want to see you in the same boat you were in two weeks ago Friday when we asked you what was happening at Hall Lamp and you talked about temporary closing and temporary layoffs. I don't want to see at the beginning of March the minister

saying, "If we only had legislation, but they're operating quite legally under the Act." I just don't want to hear that kind of discussion in February or March.

We're not going to be here—at least it's not likely we're going to be here to deal with it when it happens. When you know something is going to occur, you know full well it's going to happen, then surely it makes sense just simply to compensate for it now. It guarantees those workers won't have to suffer. It is not a hell of a lot. If it doesn't happen, so fine, the legislation can sit and die. Who cares?

Hon. Mr. Guindon: You don't know and I don't know what's going to occur. We are watching this particular case very closely.

Mr. Deans: How can you deal with it? Let's assume for a moment that it follows the course that I'm saying. What powers do you have to deal with the problems that those workers will face if and when that plant closes and this Legislature is not in session? What powers do you currently have to deal with it, if it is done under the Public Health Act?

Hon. Mr. Guindon: I have no powers of that kind.

Mr. Cassidy: Well, get some.

Mr. Deans: That's right. How then are you proposing to protect those workers within the terms of the Employment Standards Act as they pertain to termination? Since you don't have powers to do it now, and if you don't want to put it in general legislation, then surely to goodness it makes sense to deal with the specifics of the case and to say that you are going to take to yourself some power to be able to deal with it in the event that it occurs. As I say, it is likely to occur. If it doesn't, then you don't have to use it; it simply sits there, but it guarantees the workers' protection.

It does something else, too, by the way. It also means that the management, the workers and the city of Toronto have to be very aware of the implications of any action that they then take, because there are some financial restraints as well.

Hon. Mr. Guindon: I think that is the purpose of this section, to make everybody aware of our concern about employees in closures of this kind; and that's as far as I can go at the present time until we get a full analysis and a full study of far-reaching implications.

Mr. Chairman: The hon. member for Welland South.

Mr. R. Haggerty (Welland South): Thank you, Mr. Chairman. I want to get some clarification on this section of Bill 268, and my concern is where you have a temporary shutdown under orders of the Environmental Protection Act. I am thinking particularly of Union Carbide in the city of Welland, where at the present time there is a little bit of controversy as to where they are going to locate their monitoring device in that area to find out just how serious is the air contamination. Now, the minister's orders could say they are going to have to shut down the plant, or perhaps sections of the plant, for two days until they meet the safety requirements of the Public Health Act.

What would happen in that case? Are you going to extend your rules to cover a temporary shutdown of perhaps two weeks or two days or three days, for there will be a loss of income to those persons employed in that industry. I think that when you brought in this section you opened the door, and I think you are going to have to look at broader measures. I hope you will take into consideration temporary shutdowns due to regulations under the Environmental Protection Act.

Hon. Mr. Guindon: Mr. Chairman, we are dealing here exclusively with permanent shutdowns, not temporary layoffs.

Mr. Haggerty: Mr. Chairman does the minister not think that consideration should be applied in this instance since there could be a loss of income to certain employees in industry through Ontario? It may take two or three weeks for an industry to bring in additional pollution abatement programmes, which would mean a loss of income.

Hon. Mr. Guindon: No, we have no intention at this time. We hope to resolve this problem first.

Mr. Chairman: The member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Mr. Chairman, the minister's response to all of the points put forward by the members on this side has been almost totally unsatisfactory.

Just a few minutes ago the minister said it is going to be quite all right for the corporations of this province to have a corporate ripoff of the UIC fund. He said, "Let's not have it put in here because these

workers can always go to Unemployment Insurance anyway." Well, what you are saying is that it is quite okay for a corporation to make a ripoff of the unemployment insurance fund.

This was the very point I raised when we first discussed Acme Screw and Gear, and in a debate on a private member's bill I put figures into the record to show how the UIC fund was being ripped off because the provisions of the Employment Standards Act did not require that Acme Screw and Gear had to pay them. I accused the ministry and the government of allowing that to happen and really putting their blessing on that type of ripoff, and here you are getting up and actually committing yourself that this is okay. This is what is going to happen anyway. Fine, let it be. This is what you've said here this morning, and I can't think of anything more irresponsible than that.

You will not do anything and this small step forward in this section of the Employment Standards Act amendment is really two steps backwards. You will not put anything in here to prevent a company ripping off the UIC, or which will really in effect cover the next termination that is going to occur in this province about which the public will be concerned.

We know what's going to happen at Canada Metal. That's the only specific case you can point to. There are no cases that you know of that add up to your $51 million—that irresponsible figure that you pulled out of the air last night. There are no other cases that you know of in this province. You can pick any figure you want—$13.24 million, whatever you want—out of the air and make your calculations based on salary debt to get to it.

Canada Metal is the only specific case of closure under a different Act, and it's an affront to the workers of Canada Metal, knowing that this is what is to face them, to have this Act contain only a reference to the Environmental Protection Act.

If you were concerned about what's going to happen there, rather than simply window dressing and taking up so much paper space with this particular amendment—if you were really concerned and it just wasn't a throwaway amendment, you would put in at least the Public Health Act. The minister knows there are not many statutes in the Province of Ontario that allow a plant to be closed. There may be one or two other small Acts, other than the two in question here today, and that's why it would be no great widening to say all statutes of the Province of Ontario are to follow on with the amendment to my amendment, which indicated that any municipal statutes or federal laws should also be covered here. It's a very small widening but it would catch each and every case. We've clearly got the Canada Metal case before us and we can make the calculation as to what that would cost the employer.

Let's have a look at what's going to happen there. The plant is going to be closed under the Public Health Act. They are going to appeal it right away, but let's say that the appeal is not settled overnight almost, the way in which the appeals in the courts were under the Environmental Protection Act.

What is going to happen to the wages of those workers while the appeal is proceeding? I would assume the plant will find a way to keep operating, in which case it's of no concern at all. That's the one side you've postulated. You are saying in that instance that the company can then make its plans throughout the time that it is appealing that it now has the time to make the termination under the proper sections of the Act.

That's not going to happen. They don't want to terminate the employees. They want to keep going, spewing forth their lead emissions, as long as possible, and they are going to keep all those workers there until they are actually shut down under the provisions of the Public Health Act. And then the workers get no termination pay at all. You shrug and say, "Let them go and rip off UIC, because that section of the Act is not going to see that they get the termination pay."

That's what's going to happen. It will go on until they are actually out of there and there is no way that that employer is going to be required to pay the termination pay which they should receive.

You have the opportunity right here to do that. In fact, this section is here because of the case of Canada Metal and the stop work order under the Environmental Protection Act. That's why it found its way into this amendment. You refuse to take account of a situation which is going to occur in February, the closure of Canada Metal under the Public Health Act; this a greater certainty than that any school boards in this province are going to be out after Jan. 2, yet you brought in legislation to cover that section without any qualms at all.

Hon. Mr. Guindon: Mr. Chairman, I should like to assure my hon. friend that there is no blessing on our part—on the part of the ministry and myself—for any corporation ripping off the Unemployment Insurance Commission, far from it. I mention this in passing; he's making a big argument of it.

Mr. Bounsall: It is part of your attitude.

Hon. Mr. Guindon: The difference between the two is the fact that I have to be responsible for both sides. We don't want to place corporations or companies—

Mr. Germa: You are the Minister of Labour, not the corporations minister.

Hon. Mr. Guindon: —in this province in a worse position than in other provinces. That's one of the reasons why I have to look at both sides.

Mr. Cassidy: That's not the way Mike Starr did it when he was up in Ottawa.

Hon. Mr. Guindon: I was very understanding with my friends opposite the day before yesterday. I accepted a number of amendments—

Mr. Cassidy: No. You have created phantom dangers on the other side.

Hon. Mr. Guindon: —and last night I think he said one word too many, that he was going to write legislation for us. I want them to know that even though they may call me a nice guy I'm going to be firm. I'm going to be the Minister of Labour and I'm not going to yield to any pressure whether it comes from corporations or management or labour. We are going to have laws which are going to stick.

Mr. Bounsall: Or whether it is labour law.

Mr. J. F. Foulds (Port Arthur): Not going to yield to it, just going to collapse under it.

Mrs. M. Campbell (St. George): Mr. Chairman, I wonder if I might invite the minister to look at a principle, to look at a proposition. Surely it is obvious to all of us that the minister has moved because of the deep concern expressed for those people who may be displaced by reason of an order under the Environmental Protection Act and to that extent, of course, I'm sure everyone in this House is in support of that first baby step. The principle underlying this surely has to be greater than the simple matter of pressures brought to bear in specific cases.

If we are concerned about people who may lose their jobs by reason of the action of government, I would like the minister to tell me that. Or is it only when the action is from one specific ministry? I cannot buy that kind of logic, sir. So far we have concerned ourselves with rather a large group, with well-organized labour, but I would invite the minister to give some thought to those people who are not organized, to those people who are in business which, by its very essence, is a small operation; a business which can be and is very frequently closed by the action of the Food and Drug Administration. These people are without recourse and is it not a principle—or is it a principle?—of this government that if there is wrongdoing—

Mr. Foulds: This government has no principles.

Mrs. Campbell: —if there is a violation of the law, the person who violates must be the one who will take responsibility for the violation, whether it be in a profit and loss statement or whether it be for those people who have no control over the policy which creates the violation.

This is the matter which, it seems to me, is facing the opposition in this section. We cannot, obviously, fail to support the section as it is because it gives one element of relief in a much greater picture. Why must this government proceed always subject to pressure, always too little and very often too late? I would ask the minister to advise us as to his position in those specific terms because then I might understand the logic of what he is trying to put forward in this House. At the moment it has escaped me. Thank you, Mr. Chairman.

Mr. J. E. Bullbrook (Sarnia): Well said.

Hon. Mr. Guindon: I am very much aware of the underlying principle of this legislation and as it states in the section, with any stop order under the Environmental Protection Act, the provisions of the Employment Standards Act will apply to those employees. Even by including the Public Health Act at this time—I'm not saying that some day it may not come in, but we have to have more information about it—even in doing this you are not plugging all the holes in the legislation.

What would happen, for instance, in the case of a plant or a manufacturer which depends on another one for parts, and all of a sudden this supplier cannot supply this other plant? He has to close down and hasn't time to give the proper notice of termination. Now he is in no way responsible. It wasn't foreseeable in his case.

Even by including the Public Health Act, or any other Act, we are still not plugging that loophole so far as the employees are concerned. These are areas that we are looking at, and at this time we are not prepared to go any further; but our intention here, I think, is quite clear. On any stop order under the Environmental Protection Act, this will cover those employees. As I said it's opening a door, it's a first step.

Mrs. Campbell: Mr. Chairman, if I may, and I don't want to prolong it: Do I take it, then, that the minister doesn't understand what we are saying? Surely there is a difference between a case where a plant is closed because the plant is in violation of a law, be it an Ontario statute or a federal statute; surely there's a difference between that situation and the situation of another business which is innocently caught by reason of a violation.

I have not heard, perhaps I haven't been here through all of this, but I haven't heard anyone putting a proposition forward on that basis. If a person violates a law, there should be penalties and one of them should be, if you want to call it a penalty, a requirement to protect the employees of that business or those businesses.

I can't understand; nor did I follow, of course, the question of putting a dollar figure on a principle last night.

However, I know I am not going to succeed in changing the minister's position on it, but I do feel this can only lead to problems; and so much of the legislation which has been brought into this House has been badly thought through, with respect. It is a step-at-a-time kind of legislation, and then we are faced with emergency issues, which is not the best atmosphere, I think the minister will agree, in which to conduct the business of this House. I can foresee that there will be emergencies arising which will not be covered here and will have to be covered by a government which shows that it only reacts to situations, rather than taking a creative step forward in looking ahead in its legislation.

Mr. Chairman: The member for Windsor West.

Mr. Bounsall: Mr. Chairman, the minister mentioned just a few minutes ago that comment by myself, that I hated to write the legislation for this province. I am not doing it, but I just wish that you would take our suggestions and do it over there! What I was saying was that if you would I wouldn't write it, but you should; and that was with respect to the suggestion I made about a termination pay compensation fund or a termination payment fund.

That, in many ways, is a solution that should be looked at to cover all these situations.

For example, in any company, irrespective of the Canada Metal Co., if they close down – and the same applies to the Hall Lamp Co.–if they close and are trying to make the case that it is a temporary closing and not a permanent closing, which allows them not to pay termination pay for 13 weeks, if they get back in operation in less than 13 weeks, then it is a temporary closing. A termination payment fund, in that situation, could make payments to workers regularly over that entire 13-week period; and if, in cases such as the Hall Lamp Co., we have reason to suspect there's nothing temporary about it but that the company is saying that just to avoid termination payments over that 13-week period, when that 13-week period is exceeded, then it obviously has become a permanent layoff in terms of the way the Act is written. Then again, this fund is there to pay out salaries to the workers for that purpose and stands to receive any of the amounts owing to it that it has already paid out for Hall Lamp. The same thing can apply in each and other instances around this province.

In the case of Canada Metal, specifically, let's say a stop-work order goes out and the stop-work order is appealed and it is discovered to be illegal after they've been paying termination pay. Let's say Canada Metal does pay termination pay rather than say, "It is a temporary layoff, this closure, because we are going to fix things up within that 13-week period. We'll take advantage of the section of the Act which says it can be up to a 13-week layoff and call it temporary." Let's say they have done that; all right, this fund stands to pay out.

Let's say they haven't done that and they said, "The plant is closed. It is a stop-work order. We are appealing it but it is closed and we are paying the termination pay." What if that, by the appeal, is found to be illegal? What if the stop work order was found to be illegal? There is Canada Metal making payments under a stop-work order which was rescinded and found to be illegal in the first place. As employers they shouldn't be ripped off by having to pay that money out for an action which this government took and which, if it was illegal, it had no right to take.

All right, I don't want it reimbursed out of the public fund. The government shouldn't come around and say, "For those five weeks you paid out because of our error in action. Here is five weeks of termination pay you paid to your employers." If there was a termination pay fund to which all employers in this province contributed and it was there, we wouldn't be talking about the government reimbursing them or their having to bear that out of their own funds directly at that time. The money would be coming out of this fund and moneys would be recoverable by that fund by general assessment across the province.

I would hope the minister would give that suggestion some thought because with the small steps only we are taking here, the loopholes throughout this section of the Act—we mentioned in the debate yesterday the Telegram situation; Acme Screw and Gear; Hall Lamp; Canada Metal; all those situations—are not covered specifically. This amendment brings in only the Environmental Protection Act plant shut-down coverage and progress at this rate means we are going to be years getting each and every loophole satisfactorily closed.

The way around it would be some sort of a fund so that the workers' wages are paid them in such a way that public funds are not used nor is there a detrimental effect, at that very moment, on a particular company which stops work under an order, for example, which turns out to be an illegal order.

Hon. Mr. Guindon: Mr. Chairman, I think the hon. member knows well enough that I am always open to suggestion. The termination pay fund is one of them to which we will certainly address ourselves in the future months. There is a question also of, perhaps, bonding the employer. That is another area we have to explore. There is more than one way, perhaps, to cope with this particular problem but, as I said right from the beginning, we are not at the stage where we can really come up and put it into legislation. We are studying; we are reviewing; we are trying to find a possible solution to this impasse.

Mr. Chairman: Does anyone want to speak before I put the amendment?

Mr. Deans: Don't you dare ask a question like that. Just put the amendment.

Mr. Chairman: I am going to put the amendment before the amendment to the amendment.

Mr. Bounsall moves that section 2 of Bill 268 be amended by deleting the words "Environmental Protection Act, 1971," in subsection (3a), and substituting therefor, "or contained in any statute of Ontario, and employers shall pay to each person affected an amount equal to the wages to which the employee would have been entitled at their regular rate for a normal, non-overtime work week for the period of 16 weeks, or until such time as the stop order, direction or notice is lifted, whichever is the lesser."

All in favour of the amendment say "aye."

All opposed say "nay."

In my opinion, the "nays" have it.

Some hon. members: Stack this.

Mr. Chairman: Stack it then.

Agreed.

Mr. Bullbrook: I am not saying a word.

Mr. Chairman: Mr. Reid moves an amendment to the amendment, by adding after the words "in a statute of Ontario", the words, "any principle, bylaw, provincial regulation, or federal regulation or legislation."

All in favour of the amendment to the amendment moved by Mr. Reid will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

Interjections by hon. members.

Mr. Chairman: Is it agreeable to stack the amendment?

Some hon. members: Sure.

Agreed.

Mr. Chairman: We will move on to section 3. The member for Essex South.

On section 3:

Mr. D. A. Paterson (Essex South): Yes, Mr. Chairman; I have an amendment to the introductory remarks of section 3.

Mr. Paterson moves that after the introductory remarks on section 3 and the word "therefore," there be added, "commencing Jan. 1, 1974."

Mr. Paterson: Basically, Mr. Chairman, in presenting this amendment the intent is to negate what is set out in the explanatory notes, that these provisions will not take place until Jan. 1, 1975. In my own position as an employer, I have made moves in this

area many years ago, and I feel that this can be done and can be implemented within the next few weeks by the employers in this province.

Hon. Mr. Guindon: Mr. Chairman, I have a response to this. Of course, many employers of this province would like to have a longer notice period, they want to adjust to this kind of thing. I admit that some of them already have many of these areas covered off, but there are areas where they would find this a little difficult at this time, so we are giving them a year to adjust to the new legislation.

Mr. T. P. Reid (Rainy River): Mr. Chairman, I don't want to reiterate arguments I made on second reading; but surely, again, the minister should keep in mind that we are talking about minimum standards, and these are very minimum. The minister himself admits that this isn't the be-all and end-all, that we are not being overly generous in passing this legislation as it is.

Surely, all right, we will give them notice; but let's make it six months into the new year. Why is a whole year necessary? Let's get at the job that we are here to do; let's provide these minimum standards now, not a year hence. The rest of the provisions of the bill, if I recall correctly, all take effect on Jan. 1, 1974. Why not these?

Mr. Chairman: The member for Windsor West.

Mr. Bounsall: Mr. Chairman, speaking to this—was there a formal amendment made?

Of course this should apply right away. There is just no reason for continuing the delay. At the moment and for another whole year we are tied for sixth place among governmental jurisdictions in the country of Canada as to when the overtime pay starts. The Provinces of Saskatchewan and British Columbia and the federal government have their overtime pay starting after 40 hours and Alberta and Manitoba have it starting after 44 hours. We are content to wait another whole year in which we are tied with all the rest of the provinces in Canada at 48 hours. That is completely unnecessary; it is completely reprehensible.

I would suggest the proper way to have done the same thing here, or perhaps a better way, would have been simply to have moved a deletion of section 4 when we got to it. This is the one that causes specifically the clauses of section 3 to continue on for another year. Moving the deletion of section 4 rather than here would be just as effective a way. Certainly we support the same view that this should start immediately in January, 1974. There's no reason to move slowly here.

Why, when you find yourself tied for sixth place in the national employment situation in this province on this point, do you say we want to get out of sixth place and we want to be tied for fourth? We're going to wait another whole year before we move from being tied for sixth to tied for fourth with governmental jurisdictions in this area of when overtime pay will commence.

Mr. Chairman, I'm in your hands in a sense at this point, because I would like to move an amendment that refers to 21(1) and 21(2), rather than the introductory few words of section 3. Is that possible?

Mr. Paterson: I have an amendment.

Mr. Chairman: Yes. Let me place Mr. Paterson's amendment first.

Mr. Bounsall: Then can we go on to 21(1) and 21(2)?

Mr. Paterson: I have one to 21(2) also.

Mr. Chairman: All right. Well, we'll get to it afterwards. Mr. Paterson has moved an amendment to section 3, that after the introductory remarks, to add the words after the word "therefor," which is the final word, the words, "commencing Jan. 1, 1974." Is there any further discussion on that?

Those in favour of the motion will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

Stack this one with the others.

Mr. S. Lewis (Scarborough West): Thank God for the NDP attendance in this House or we would all be in trouble.

Interjections by hon. members.

Mr. Chairman: Mr. Bounsall moves that section 3 of this bill be amended by deleting the words "forty-four" in lines 2 and 3 of section 21(1), and substituting therefor the word "forty," and by adding after "employee" in the second line of 21(2), the sentence, "and the weekly earnings shall be no less than that received when overtime pay commenced after 48 hours."

Mr. Bounsall: Thank you, Mr. Chairman. Speaking to the first amendment, in reducing it from 44 to 40, I just see no reason why we don't jump immediately

and do what British Columbia, Saskatchewan and the federal government do in terms of saying when overtime pay starts, which is after 40 hours. Once 40 hours is reached, overtime pay is paid for any time over and above the 40.

I just can't see any reason to stay tied with the eastern Maritime provinces in this respect of where we stand at 48 for another whole year, and then only reduce it to 44 hours, with three other jurisdictions in Canada already at the 40.

We are the most industrialized province in Canada, and particularly because we are the most industrialized we should not be content to lag behind. This is one area where in fact we should be leaders, but other people have taken the lead in reducing the work week to 40 hours. There is just no reason why we shouldn't move directly to that.

Regarding the second part of the amendment, we all agree with that section of the Act which says that in complying with the change from 48 hours to 44 hours, "no employer shall reduce the regular rate of wages." This is already in the Act. But there is another important principle here. The hourly rate should not be reduced, but, as well, the total take-home pay for the week should not be reduced.

The member for Nickel Belt (Mr. Laughren) right along has been concerned about this section in the Employment Standards Act and this amendment, because there are employers who are causing their employees to work 48 hours a week now, and when overtime pay starts, after 44 hours a week, he predicts, in the lumbering business particularly, they are going to drop the number of hours they will work to 44 hours, because they don't want to pay time and a half for four hours.

You know what will happen when that occurs: The employers will try to change the conditions of work by whatever means they can. If they are organized, they will try to change whatever parts of the collective bargaining agreement allow them to do so to get 48 hours of work out of the employees in 44 hours. They will try to get the same production or the same quantity of unit work produced in 44 hours as they did in the original 48, and in that way they will have made a saving of one-twelfth of their payroll. They are going to get the same amount of work in 44 hours that they got in 48 hours, so they are saving one-twelfth of their wages.

If it's clear that the take-home pay cannot be less, however, either the hourly rate will increase or they'll continue to work 48 hours and pay the small additional increase in wages that would accrue by so doing. If they continue to work 48 hours, they would have four hours at time and a half, which would be as if they worked an additional two hours under the old provisions; this means they are getting paid for the old equivalent of 50 hours rather than 48 hours, for 1/25th increase in the payroll, as opposed to what I suspect they will try to do, make a 1/12th saving by working only up to 44 hours but getting 48 hours' work out of them.

To me this is a very reasonable amendment because whenever they have bargained in a collective agreement for a lower number of hours for the commencement of overtime pay, care also has been taken to do precisely what is done here, to see that the workers do not suffer a decrease in total earnings as a result of overtime pay starting at an earlier number of hours worked.

This Act's main effort is to protect all the unorganized workers in the Province of Ontario. Most of the people being covered by the Employment Standards Act are people already working for the minimum wage or a little more, and we have an obligation to all of them to see that when overtime pay starts as of this Act, in January, 1975, after 44 hours, rather than 48 hours, they do not suffer a net decrease in weekly take-home pay, which means their hourly rate will have to go up slightly to account for that. That's the kind of protection we should be building into legislation in this province on behalf of the workers of this province, particularly those who find themselves in an unorganized situation.

Mr. Paterson: Mr. Chairman.

Mr. Chairman: The member for Essex South.

Mr. Paterson: Mr. Chairman, I too have an amendment to subsection 2 of this particular Act.

Mr. Chairman: It's a different one though, is it?

Mr. Paterson: Yes.

Mr. Chairman: Perhaps we could deal with this one first, then we'll hear yours.

Mr. Paterson: First of all, I wish to speak to the two amendments that the member for Windsor West has presented. I think that I and our party can certainly subscribe to the

first one, that we reduce the 44-hour work week to 40 with no hesitation at all, and we accept this concept.

On the second point raised by the member, I think the amendment is somewhat cumbersome and not as clear as I would like to see it, and I will bring forth my amendment to spell out that I don't feel anyone should suffer a loss in actual income because his hours are cut. I want to try to put this in definite terms in my own amendment.

I might say, Mr. Chairman, I've had experience here again in this area as an employer, where I cut my work force several years ago from the normal 44-hour week that was present in the retailing industry down to 40 hours, with no loss in pay to my employees. I think I can speak with some confidence in this regard, and I'll do this when I present my own amendment after this matter is clarified.

Mr. Haggerty: Mr. Chairman.

Mr. Chairman: The member for Welland South.

Mr. Haggerty: I would like to add a few comments to section 3 and to the amendments that are proposed by both members.

Of course, my main concern is the Act doesn't spell out just to whom this applies and what type of industry. In particular, I'm thinking of those where, under the present regulations that apply in cases of special circumstances, a permit may be issued for work in excess of the maximum hours prescribed in the Act. In many cases this is done without the consent of the employees. This is where I think that, when the rules of the game are changed, they must require the consent of the employees, or that the employees should be notified.

Let's take, for example, the highway transport industry, where the hours are anywhere from 50 to 55 hours a week; the ambulance service industry; the local cartage industry; sewer and watermain construction; the fruit and vegetable processing industry—and the road building industry, is an important one too—where many employees feel that under the existing laws 48 hours a week is the maximum that they are supposed to work.

I know cases where men have been dismissed because they refused to work beyond the 48-hour-a-week limit and, some place along the line, through a special permit, the industry is allowed to extend it to 55 hours a week. In fact, there is no overtime in some instances, I'm sure. These are the matters I would like clarified.

My other concern is the conditions that exist in large mall shopping centres where a great number of employees are part-time employees and a great number of them are married women. They are held at the mercy of these larger shopping malls to work any hours and they may be called upon any time of the day and told, "You are to work today." In many cases there are no holidays paid to them; they do not qualify under the rules of the game. If you are only a part-time employee, and not a permanent employee, these conditions described under the Act do not fall in that category.

I don't know if the minister looked into this matter or not but I hope his staff will look into it. Perhaps you will include part-time workers because they work 52 weeks of the year, sometimes 30 hours a week—not 40 hours a week—and this is how they get around it. They are only part-time and miss out on many of the fringe benefits which I think should be included in this type of industry. Hopefully the minister would do that.

In section 2, I hope I can interpret the intent of this, I hope that when they do reduce the hours from 48 to 44 hours a week there will be no less take-home pay. This is usually guaranteed in any bargaining process. When I look at the sections you do have here I recall some 25 years ago when I first sat on a negotiating committee and went to the bargaining table. When I look at this, this is about what we brought in. You are about 25 years behind and at that time many of the employees in the industry thought we were receiving gold at the end of the rainbow.

You are about 25 years behind with your legislation but, of course, it will be of some assistance. It is opening the door to many persons who do not come under a union contract or bargaining process in the Province of Ontario. I would like to hear the minister's comments.

Hon. Mr. Guindon: Mr. Chairman, I cannot accept—

Mr. Chairman: Order, please. The member for Rainy River.

Mr. Reid: Mr. Chairman, I don't want to get carried away as my friends have. I want to indicate, as I said in my remarks on second reading, we agree with the amendment although we don't believe it is written properly. We agree wholeheartedly with the concept of bringing it down to 40 hours. Again, because we are setting minimum standards we think the minister should see his way clear to accepting this amendment.

Mr. Chairman: The hon. minister.

Hon. Mr. Guindon: Mr. Chairman, no, I cannot accept those amendments at this time. On the question of reducing the work week from 48 hours to 44 hours beginning Jan. 1, 1975, there is nothing magic about it. It is just a question of giving employees sufficient time to adjust themselves to it.

As you already know, we have increased the minimum wage by 20 cents an hour recently and it is a cost factor for the employers. Employers in this province are not all from rich western Ontario. You have employers in eastern Ontario who are marginal employers; you have a number of them in northern Ontario as well. They make representations to our ministry and this is where, I believe, the practical experience of being in business gives you an insight of what could happen if you move too fast.

Of course, I am all for motherhood, too. I would like to see a 40-hour week introduced as soon as possible, only we are doing it in stages. We have 44 hours now. Who knows whoever the next Minister of Labour is going to be, or when this will be changed but it is only a question of responding to a number of objections—and serious objections—by the employers of this province. In fact, I would even go so far as to say that if we were to implement this too quickly we would lose a great number of jobs. It is all right to say fewer hours and more money but money doesn't grow on trees. We have at the present time a good economic climate in this province; we have good employment at the present time, almost full employment, and we hope to keep this employment climate going as well as it has been in recent months.

For the time being I will not accept the amendments.

Mr. Chairman: Those in favour of—

Mr. Haggerty: I want to continue with the minister's comments when he says he is not in favour of the 40-hour week. I may agree with him or I may not—

Hon. Mr. Guindon: I didn't say that.

Mr. F. Drea (Scarborough Centre): He didn't say that at all.

Mr. Haggerty: —but I was thinking if he was looking for full employment this is one way to get full employment, by making industry stick to 40 hours a week. It will put more persons into the work force.

For example, I can cite case after case of industries which, instead of putting a third shift on, are working men 70 hours a week in some instances. In many cases, if they don't work, they don't have a job. You can look at the Niagara Peninsula, it is being carried on there. I would say these persons are compelled to work anywhere from 40 to 70 hours a week. They work for six months a year and in many cases they are laid off after six months and then they go back drawing unemployment insurance—you can call it pogey money—and this should never happen. Those jobs could be extended all year round without having these persons go back and draw from unemployment insurance.

If you are really serious in bringing in shorter working hours in the Province of Ontario—and perhaps I should be critical even of some of the unions that are supporting this beyond 40 hours a week—if you are serious enough in bringing those persons into the working field, put it down to 40 hours a week and we will have full employment in the Province of Ontario. There is a loophole or a hole that should be plugged.

Mr. Chairman: Those in favour of Mr. Bounsall's amendment will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

Shall we stack this along with the others?

Mr. Cassidy: You are not serious, Mr. Chairman, about the result of that vote.

Mr. Chairman: That criticism was answered last week, gentlemen.

Mr. Cassidy: On a point of order, Mr. Chairman.

Mr. Chairman: Yes.

Mr. Cassidy: There are eight Conservatives in the House.

Mr. Chairman: Order, please.

Mr. Cassidy: And they are feeble-voiced today as well. What about giving the count to the party that shouts the loudest, Mr. Chairman?

Mr. Chairman: The member for Ottawa Centre is not in charge of the House.

Mr. Cassidy: Numerically and in voice as well.

Interjections by hon. members.

Mr. Chairman: The way I read the—

Interjections by hon. members.

Mr. Cassidy: This is a maudlin theory of democracy. It's about time that they understand it sometimes.

Mr. D. C. MacDonald (York South): On a point of order, I want to quietly raise a point here. Have you one set of rules or have you two sets of rules?

Mr. Chairman: One set of rules.

Mr. MacDonald: If you've got two sets of rules, when you have fewer on that side of the House you know if you ring the bells you'll ultimately get a majority, so you confuse the situation and construe it as being a majority. I suggest you are making a mockery of yourself and your position. If perchance they have fewer, and they are outnumbered, it is their obligation to call the vote, not ours. If you don't do that, you are destroying your own integrity and you are operating on two sets of rules. Let's play the game squarely.

Mr. Chairman: Order, please.

Mr. MacDonald: What do you mean "order"? I've raised a point of order and this is very much a point of order. I'm trying to bring you into order, sir.

Mr. Haggerty: Look at the front row.

Mr. Chairman: This same question has come up before. It has been ruled on.

Mr. MacDonald: How has it been ruled on?

Mr. Chairman: It has been substantiated by a further ruling by Mr. Speaker, and the procedure being carried out is correct.

Mr. Lewis: On a point of order, Mr. Chairman, I accept what you ruled and I understand. I was here when the Speaker replied and said that you have the right to assume that hidden away in the back precincts of the building there are government members who, if called, would come to vote and, therefore, you can disregard the voice vote entirely, and clearly that is your intention.

I want to say to you, Mr. Chairman, and I mean it very sincerely, that one of the problems with this House is the way in which the rules are so frivolously applied on occasion. All of us would feel more confident about our positions here and, therefore, perhaps perform more respectably here in the terms in which the Speaker would wish, if the rules were applied more logically and more evenly throughout.

Mr. Reid: And fairly.

Mr. Lewis: I think that's a point worth making, because the application of the rules is what sets the tone of this House. The frustration opposition members feel when this kind of thing happens necessarily transfers over to other things. The Chair should understand that it's completely unreasonable to say to the government they won that vote when clearly they lost it. It makes a shambles of the Legislature.

Mr. Chairman: If I may just mention one thing—and this should not become a debate—it is not my responsibility. In fact, I may not sit here and count the members—

Mr. Lewis: Then don't even call it. Don't even ask.

Mr. Chairman: Just because one member can shout as loudly as four others really doesn't determine the legislation.

Mr. Lewis: On a point of order, don't demean yourself, Mr. Chairman, and don't demean the process and don't call the vote. Simply assume the government wins them all and don't go through this charade.

Mr. Chairman: It should be understood it is a process to get to the vote.

Mr. Cassidy: Mr. Chairman, on a point of order.

Mr. Chairman: Order, please. It's really not a point of order.

Mr. Cassidy: On a point of order, Mr. Chairman. This is a different point.

Mr. Chairman: Yes.

Mr. Cassidy: This is a different point, Mr. Chairman, but I feel fairly strongly about it. As the chairman knows, from time to time we've had trouble keeping five people in the House and from time to time the Conservatives have had trouble keeping more than seven or eight in the House.

The other day when we were working on very technical amendments to the Planning Act, Mr. Chairman, in which there were a number of stacked votes, and in which throughout we had five members in the House, there were a number of occasions when I simply said to you or to some other member who was acting as chairman at the time—I can't remember if it was you or another member—"Let's stack that one," and where it was insisted upon that the members on this side from the NDP had to

stand up. It was the present chairman who insisted on that. On the other hand—

Mr. Chairman: Order, please. Order, please; you are out of order here now.

Mr. Cassidy: —when it comes to something in which the government is concerned, you are willing to apply that ruling which has been approved by the Speaker.

Mr. Chairman: Order, please. The ruling has been made and upheld—

Mr. Cassidy: —and it seems to me that we cannot have any courtesy or any co-operation on the part of the chairman—

Mr. Chairman: Don't talk to me about courtesy. Will the member take his seat? Order, please.

Mr. Cassidy: —when it comes to us we've got to do it the hard way, Mr. Chairman.

Mr. Chairman: Order, please.

Mr. Cassidy: We've got to do it the hard way every time and I resent that—

Mr. Chairman: Order, please.

Mr. Cassidy: —I really do.

Mr. Bullbrook: Don't you realize what you are doing? Don't let him continue like that.

Mr. Chairman: In connection with the proposed amendment of the member for Essex South, as I heard it, it says just about the same—

Mr. Bullbrook: You don't have any respect for the Chair.

Mr. J. E. Stokes (Thunder Bay): He has to command respect.

Mr. Cassidy: Well the Chair hasn't any respect for the rules.

Mr. Stokes: He has to command respect.

Mr. Bullbrook: Order means order.

Mr. Chairman: Order, please.

Mr. Bullbrook: The points you made before were valid until you became indignant.

Mr. Paterson: I have an amendment to the particular section, subsection 2 and I wish to change the wording entirely in that present section.

Mr. MacDonald: What did you do in Sarnia when you lost your head?

Mr. Chairman: Order, please. The member for Essex South has the floor.

Mr. MacDonald: When you get indignant, you defy established authority.

Mr. Bullbrook: Oh, you are so hypocritical, you really are.

Mr. MacDonald: Don't be self-righteous.

Mr. Reid: The member for York South is the most self-righteous man in the whole House and the most hypocritical.

Mr. Chairman: Order, please.

Mr. MacDonald: You ought to know.

Interjections by hon. members.

Mr. Paterson moves that subsection 2 of section 21 contained in section 3 shall be amended by deleting the words after subsection 1 in the first line and adding thereto the words, "no employer shall reduce the gross wages presently payable to a full-time employee whether on a weekly wage, semi-monthly or monthly wage, or hourly rate."

Mr. Haggerty: It is a good amendment; the member for Scarborough Centre should support it. He is for labour, he should support it. It is a good amendment.

Mr. Chairman: Really this is saying the same as the other amendment proposed by Mr. Bounsall. It has to do with the total amount of money being paid—

Mr. Paterson: Mr. Chairman, I feel it differs slightly in that my interpretation of the previous amendment was that persons who are going to have their work hours cut are arbitrarily going to be given a cut in pay and I wish to try to spell this out very clearly, rather than dealing with it on the overtime provisions as was indicated in the previous amendment.

Mr. Chairman: You are saying it differently —but I'll place it.

Those in favour of Mr. Paterson's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it. I declare the motion lost.

Mr. Haggerty: The member for Scarborough Centre is not for labour. Let the record show it.

Mr. Chairman: Any comments, questions or amendments on further sections?

Mr. Bounsall: Section 5.

Mr. Chairman: The member for Windsor West—on section 5 did you say?

On section 5:

Mr. Bounsall: Yes, Mr. Chairman. Section 28 (2) of the Act is of interest to me here. This is with respect to when vacation pay is paid; we are not talking in this section about payments in lieu of vacation, but about a paid vacation, when the employee is paid for that vacation. At various times over the last couple of years I've had contact with the employment standards branch about various cases that have arisen involving this, and I know that their feeling is that the Act should be strengthened so that they can say to an employer, as the feeling of some of the people I have contacted within the branch is, that vacation pay should be given at the time the vacation is taken. I know that is the opinion of some within the branch.

There is some doubt as to the exactly appropriate time to pay it, whether it's before the vacation actually starts, that is tacked onto their last paycheque before they take off on vacation, whether that's possible in some instances; or whether it should be paid immediately after they return from their vacation, because in the case of vacations for which it wouldn't be administratively possible to pay them before they go, it certainly would be administratively possible to pay them after they come back, since they are paid for the period in which they were on vacation.

So the way this section still stands, the director may require an employer to pay the employee, at any time, the vacation pay to which the employee is entitled under section 27.

It's just not good enough. You really haven't, in this section, addressed yourself sufficiently to the problem. You just haven't addressed yourself to the problem in strong enough terms as to when that pay may come.

If a case finally gets through to the employment standards branch, then the employment standards branch can finally say to the employer: "Look, you have got to pay them that vacation pay." If it's an employer who is trying to avoid paying them vacation pay for as long as he can, then the fact you have to go through the director, in this instance, and he contacts the employer and so on, consumes more time and allows the employer more time in which he gets away with not paying; and the employee, of course, going without that pay.

So, Mr. Chairman, we are going to try to amend this part.

Mr. Bounsall moves that section 5 of Bill 268, be amended by adding to section 28 (2) the words, "and shall not be later than the beginning of the vacation period or periods."

Mr. Chairman: Is there any further amendment?

Mr. Bounsall: It now reads, with the amendment.

> That the director may require the employer to pay to an employee, at any time, the vacation pay to which he is entitled under section 27, and shall not be later than the beginning of the vacation period or periods.

I don't think there's that much problem, legally, adding that, in terms of giving the director some discretion. The clause says he may require them to pay at any time, and we are simply setting the time beyond which the employer cannot be allowed not to pay. The director, when a case is brought to his attention, can point that out clearly to the employer: "Look, the time is this in the Act. That's when you should have paid, or that's when you are required to pay for other employees in the future"; if that time is exceeded on a single employee.

I think it is eminently reasonable in our society, where we have agreed—and this Act extends, for employees, in their first year, the length of vacation; they now have, in the first year of their employment, two weeks; we are committed to the idea of employees needing vacations. When vacation time comes up, most people get out of the locality in which they live, which involves spending a bit more money than they would ordinarily spend, and it is eminently reasonable that they receive their vacation pay before they go on that vacation. This is what this amendment does.

Mr. Paterson: Mr. Chairman, I rise to support this particular amendment. Here again I must relate it to my own experience as an employer, in that I think any reasonable employer in the province would draft a schedule of holidays for his employees well in advance of the time they were going to be taking them.

In my own case, I attempt to get a schedule developed around Easter for the summer holidays, based on seniority preference of my employees, who get holidays of anywhere from two weeks to a month, depending on years of service. I'm sure this is

true in many industries and businesses throughout our province.

I don't know the complications for some of the larger firms with many hundreds of employees in terms of their payroll situation as it relates to paying for performance of work. In my own case, with 15 or 16 employees, it is very simple to pay in advance of the holidays, and I would certainly support this amendment.

I would hope that large industry also could take a look at this, because surely to goodness they must know the work schedule of their employees weeks and months ahead if they do not shut down their plant completely. In that case it would be much simpler to pay them in advance. I think it is only good business practice to know exactly what you are going to do weeks in advance as it relates to your employees; and I'm sure that your employees want to know where they stand, too, so that they can plan an adequate and preferred vacation.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, I rise in support of this amendment from the hon. member for Windsor West. It seems to me that this is the kind of planning that can be done at all levels of business, whether it is a small law office, such as I might operate on occasion, the kind of business that the previous speaker is involved in, a business that has a large number of employees and where the plant is closed for a definite two-week period, a business that has people who are going on vacation in a certain priority or at certain times that are planned well in advance.

I think it is quite clear that around Easter, or possibly in the month of May, many businesses of all sizes in terms of employees that begin to plan for vacation timings that will likely take place in July or August. It seems to me a convenient thing to do, not only for the business itself but also so that the employees will know that they will have money in hand when their vacation time starts. It seems a most worthwhile amendment, and I would encourage the minister to accept it.

Mr. Chairman: The hon. minister.

Hon. Mr. Guindon: Mr. Chairman, this is not a new section. It has been here for some time, and we have never experienced too much difficulty with it. The director has the power to require the employer to pay, and it seems to have worked quite well. I think the problem for larger companies, if they were to pay holidays in advance, is their computer system; I think perhaps that is the area. But in the way it has been working in the years gone by, I think it has been quite satisfactory. I did receive one delegation from the trade union movement making representations to that effect. However, that was only recently. I promise to look into it, but I am not prepared to accept the amendment now.

Mr. Breithaupt: Well, Mr. Chairman, if the minister is not prepared to accept the amendment at the present time, can he at least undertake to us that this matter will be reviewed so that if it is thought to be worthwhile in the next session, this particular point can be dealt with to benefit a large number of the persons in the work force, and that he will consider it?

Mr. Chairman: Those in favour of Mr. Bounsall's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Shall we stack this one as well?

An hon. member: Yes.

Mr. Chairman: Any further comments, questions or amendments on a later section?

Mr. Reid: Yes.

Mr. Chairman: The hon. member for Rainy River.

Mr. Reid: I would like to amend section 7 by adding in subsection 31a(1), after the words "Christmas Day," the words "New Year's Day, Victoria Day, and Thanksgiving Day." Again, I just want to increase the minimum standards to include the seven days. Let's have them now. Why wait again another year to add the three days? Surely the minister doesn't expect there are going to be any of those marginal firms he is talking about that can't afford to provide time and a half or the alternatives that are provided in the bill within the year.

I really can't see why the minister won't accept this, bring it up to the seven days, give the people the extra three days this coming year, in 1974, and not make them wait another year. There is no sense in it. Let's make the bill as uniform as we can. Let's raise the minimum standards as much as we can.

Mr. Bounsall: Mr. Chairman.

Mr. Chairman: Just a minute, what you are really adding is Thanksgiving Day?

Mr. Reid: No, the three days—Thanksgiving Day, Victoria Day and New Year's Day.

Mr. Chairman: Mr. Reid moves an amendment to section 7, subsection 31a(1) to add after the words "Christmas Day," New Year's Day, Victoria Day, and Thanksgiving Day. But you haven't really told me what to add.

Mr. Reid: Oh, add after the words "Christmas Day" those three days.

Mr. Chairman: Oh, I see, all right. Add after the words "Christmas Day", the words "New Year's Day, Victoria Day, and Thanksgiving Day." Is that it? All right.

Mr. Bounsall: Mr. Chairman, this is an eminently reasonable amendment. We would certainly have no trouble supporting it. We would have placed one to the same effect ourselves, if the member for Rainy River hadn't done so. This Act has already specified in the opening interpretation section what "holiday" means. "Holiday" has always been these seven days. This is an amendment to the Act which says how much one is going to be paid for those seven days, if worked. I see no reason to have a different paying and a different set of conditions for four of them, to what you have for another three. I see no rationale for why New Year's Day, Victoria Day and Thanksgiving Day should be in a different category from Good Friday, Dominion Day, Labour Day and Christmas Day. In any collective agreement across this province, you have at least these seven days equivalent to each other. In most cases, on more days, Boxing Day and a few other days as well, you receive the same. If they are noted as vacations you receive the regular pay, plus a minimum of time and a half, and overtime coming in at the overtime rate for days more than seven.

Here we have an Act which is primarily to protect the unorganized people in the province, which states a minimum, and we are going to make a difference between New Year's Day and Christmas Day. You are going to make a difference between Victoria Day and Dominion Day in terms of payment for holidays. I just don't think there is any way that can be justified on a rational basis. I don't see why we can't say to all workers in the Province of Ontario, "Apart from arrangements you make for vacation, here are seven days which are holidays, and you will get the same payment, and you are all treated equally on those days in terms of receiving payment, if you are required to work on those days."

Mr. Chairman: The hon. minister.

Hon. Mr. Guindon: Mr. Chairman, I, too, would like to be a Santa Claus, especially at this time of the year. However, being in a responsible position, I cannot give the store away.

Mr. Reid: Oh, come now, three lousy days.

Mr. Stokes: Whose store?

Hon. Mr. Guindon: Look at the percentage of increase we are imposing on the employers with this Act. We're talking now about statutory holidays. We've increased the vacation pay from two to four per cent in the first year. We will be shortening the work week. We have just increased the minimum wage.

How much can the market bear? How much can it take in the one year? I think we've done quite well in this area in this bill. As I say, being in a responsible position, I have to make sure we can move along those lines and do all this without loss of jobs in this province. That's a concern which perhaps, the members opposite don't have as much—

Mr. Reid: Do you have any papers to show us that because of three days there is going to be a whole bunch of people unemployed?

Hon. Mr. Guindon: These are concerns which I have to have, naturally, and you perhaps share them with me but will not tell me at this particular time. I think, all in all, we shall find we have made a great deal of progress with this, and it's something we all can live with.

Mr. Chairman: Order, please. All those in favour of Mr. Reid's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Shall we stack this one, too?

I presume that section 6 has carried since there is no comment on it?

Section 6 agreed to.

On section 7:

Mr. Bounsall: I would like to speak on another aspect of 31a, quickly before I move to 31b. I would like to ask the minister, perhaps I'm somehow misreading 31a, what is the purpose of having "in the year 1974" in the legislation? It seems to me that section 9 of this amendment Act states when this will come into force, Jan. 1, 1974. Why are you required to put in 31a, sections 1 and 2, "in the year 1974"? It seems to me it's quite clear it's not going to take effect until Jan. 1, 1974, and these holidays will start in 1974, clearly.

That's when the Act takes effect. Putting that in raises the question as to what's going to happen in the year 1975 in these two sections.

You don't need the words "in the year 1974" to have them start applying then, and by specifically putting "in the year 1974" in both of these sections, you're implying that something different is going to happen in 1975 or later or that it will apply only in the year 1974. What's the reason for the phrase there?

Hon. Mr. Guindon: I think the reason is that in the first year we have four holidays and in the second year we're going to have seven. The reason for putting 1974 is that this Christmas happens to be in 1973; I imagine that's the reason for putting 1974. It doesn't apply to this Christmas but it will for Christmas 1974.

Mr. Bounsall: The Act doesn't come into force until 1974; nothing in this Act comes into force until 1974, by a later section. Are you saying that by putting "in 1974" specifically in sections 1 and 2 of 31a of this section 7 something different is going to happen in 1975? Are you going to come in with an amendment in the year 1974 to change this to the year 1975 so that we have to update it each year?

Hon. Mr. Guindon: No. We are not implying anything of this nature. I don't see why my hon. friend should be so suspicious.

Mr. F. Laughren (Nickel Belt): We have lots of precedents.

Hon. Mr. Guindon: When we do move in the field we do it the way we're doing it here. In 1974 you have four paid statutory holidays. By 1975, you're going to have seven of them and the seven of them are named in the bill.

Mr. Bounsall: The bill doesn't say that. In both sections it says 1974.

Mr. E. M. Havrot (Timiskaming): Just stalling.

Mr. Bounsall: There is nothing in this holidays with pay section which says you're going to have four paid statutory holidays in 1974—Good Friday, Dominion Day, Labour Day and Christmas Day—and then three more coming on in 1975. You have very carefully written provisions as to what is going to happen to the group of four and the group of three, in the year 1974 in both cases. I don't see any need for the two phrases "in the year 1974," in sections 1 and 2 of the Act. There is no difference between 1974 and 1975 here; and 1975 isn't mentioned in this section.

Hon. Mr. Guindon: Well I don't see anything ambiguous here. I think it is quite clear. In 1974 you have your four holidays, paid statutory holidays, which start with Good Friday, Dominion Day, Labour Day and Christmas Day. And in 1975, well you will add the three other holidays.

Mr. Breithaupt: Well perhaps, Mr. Chairman, the minister could advise us just where we could find that we have the three other holidays spelled out in the legislation in 1975.

Hon. Mr. Guindon: Pardon. I didn't quite catch that.

Mr. Breithaupt: Other than in the explanatory notes perhaps.

Hon. Mr. Guindon: Well I don't know; I am trying to grasp the point raised by the member for Windsor West. I think he is inferring that in some cases we have to pay two and one-half times the wages on paid statutory holidays. Is that the point you are trying to raise here?

And in the case of other statutory holidays, because they don't come into effect before 1975, it will be only one and one-half times the regular rates. I don't know if that's the point he is trying to make.

Mr. Bounsall: Mr. Chairman, we'll let the point go in case, when this amending Act is put together with the Act, it might become clear, in fact, that everything is okay, but on the surface of it I couldn't quite see this point.

However, I do want to talk about section 31b. Subsection (2) here, and again subsection (a), indicates employees to whom these holidays with pay do not apply; section (a) is for those employees who have been employed for less than three months.

Look, what are you trying to do here?

Mr. Laughren: Yes.

Mr. Bounsall: I just can't see why you are being so absolutely niggardly in this section. You make a great fuss about giving these seven holidays, even though it's broken down into a group of four and a group of three, which is hardly acceptable; and then you come along and you say: Look, here are all the other exceptions to which this is not going to apply.

If someone is employed for less than three months, they are not going to qualify. Well look, if you said, for not less than one month, someone employed less than one month, I could see it. Because if you put it at one month that would rule out all those employees who have been hired on a full-time basis for, let's say the Christmas rush. But they are not usually paid on a full-time basis and become full-time employees before November 25. If you made it one month, you wouldn't have the employers in the province who take people on having to pay for Christmas. For Heaven's sakes, let's not have our employers required to pay anybody for Christmas.

I would think that most employers would do that out of the Christmas spirit; but look, it isn't going to apply for most of the employees they take on on a full-time basis, because they come after the month before.

Why do you need three months in there? Just what group of people are you trying to protect? Are you trying to protect the summer students who work in the vacation period in case they happen to work on Labour Day? Most of them don't start until July 1, and if they do start and they work right through till Labour Day and work on Labour Day, pay them for it. Let them get holiday pay at the rate specified here if they have worked for a couple of months and it goes into Labour Day.

Sections (b) and (c) say: "Have not earned wages for at least 12 working days during the 30 calendar days immediately preceding the holiday." What about sickness or illness and injury that could occur?

You know, here is someone who gets ill in the month of December, during the 30 days preceding Christmas, and happens to be off work for 12 or 13 working days. The employer, you say, is now going to be able to say: "Ah! I'm not going to have to pay you for Christmas."

Is that the situation we want to see? What are you doing here? These are small points, but I just can't see any justification for them. Sub-section (c): "Does not work on his regular day of work preceding and following the holiday." Again, to me, that's a very reasonable section. This eliminates the situation where a person says: "With Christmas being on Tuesday this year, I'm going to take Monday off so that I can have a bit of a long weekend." That person cannot take the Monday off. The employees in this building are going to have to be here on the Monday in order to get the Tuesday. All right.

I can see you wanting to prevent the long weekend taking place and forcing them to work the day preceding the holiday. But what if they are validly ill? They are going to say again: "Ah! We've got you now. We don't have to pay you for Christmas on the Tuesday." If you're validly ill on the Monday, and there are ways that you can prove you were validly ill—a doctor's certificate will do—

Hon. Mr. Guindon: Ninety-nine per cent of the employers would pay you anyway.

Mr. Laughren: What about the other 1 per cent?

Mr. MacDonald: Why don't you make it conform with reality instead of the exception?

Mr. Laughren: You wouldn't pay them at Havrot Bakery.

Mr. Havrot: Too bad you never had to meet a payroll.

Mr. P. D. Lawlor (Lakeshore): When are you going to have an original thought in your life?

Mr. Laughren: I'm here now. I don't have a payroll to meet now. It's time the anti-labour member for Timiskaming entered this debate anyway.

Interjections by hon. members.

Mr. Chairman: Order, please.

Mr. Bounsall moves that section 7 of Bill 268 be amended as follows:

(a) by deleting the word "three" in subclause (2)(a) of section 31b and substituting therefor the word "one."

(b) By adding the words "except for illness or injury" at the end of subclauses (2)(b) and (2)(c) of section 31b.

Mr. Paterson: Mr. Chairman, I might make a few remarks on this section. I did, briefly, address myself to it last evening in relation to part-time help, and I think this is where I experience some difficulty in interpreting the full intent of this particular section.

Here again, as an employer, I have no difficulty in accepting the amendment on subclause (2)(a) relating to an employee of less than one month, as proposed by the member for Windsor West. The only thought I would have in this regard is that it should apply to a full-time employee. This is where I get into the grey area that is not really

clear to me. I have numerous full-time employees in my own business, and they qualify for holidays and all fringe benefits the minute they are accepted as full-time employees. Where I do run into some difficulty in interpreting this is in relation to the part-time employees that I hire, those who, by their own volition, choose to work two or three days per week.

In this varying section I think the distinction between part-time and full-time employees needs to be spelled out very clearly for the benefit of the employers in our province in relation to these particular matters.

I suppose the escape clause here is subclause (d), where a person "is employed under an arrangement whereby he may elect to work or not." I suppose this covers the part-time worker I have been referring to. But I want to expand on this a little further.

The member for Welland South alluded to it in his remarks a few moments ago on another section, and I drew it to the minister's attention last night. I feel some employers are calling in people for a limited number of hours in a daily period. They may not be the same hours each day. I am sure the member for Nickel Belt, in his past experience as a manager of one of the chain stores, is quite well aware of the infringement on the rights of the people that were employed by his firm.

Mr. Laughren: Did the member for Timiskaming hear that? I do have a management background.

Mr. Havrot: No wonder they kicked you out.

Mr. Paterson: I'm sure it was very distasteful to him at times to call these people in on very short notice, giving them limited hours of work. I think this is unfair to the employee and also unfair to the legitimate business person or employer in the province, that there are people operating in this way, essentially cheating on their employees and carrying on unfair trade practices which give them an economic advantage.

I would just hope that the minister would look at this area of part-time employees. These matters that I have related to him are a cause of concern among legitimate business people and employers in this province. I would hope the minister could have some of his officials look into these specific matters during the coming months hopefully to correct abuses that are in existence in our province.

Hon. Mr. Guindon: Mr. Chairman, up to now I wasn't too sure whether my friend and colleague from Windsor West was really nitpicking or not. But this requirement of three months, as you know, is also a requirement in every collective agreement that I know of whereby you have three months on the job before you can have those benefits. So it is nothing new. It is 90 days; and that, I suppose, is why it is in here.

Mr. Bounsall: So make it better.

Hon. Mr. Guindon: Well we at least have met that.

As to the question of an employee who does not work before the holiday in case of sickness I know this can and does happen. By experience, and I don't know how many times I've had it, but I would think, that 99 per cent of the employers, if the employee has been sick and if he has a bona fide reason, they will pay for his holiday.

You may not see this unless you have been an employer. How many times do you pay employees where perhaps it could be questionable? You give them a half a day or a day to go to a funeral, and they are paid. Their pay goes on just the same. I would think the great majority of employers do this. It is not just one-sided. I think it is sincere.

If it is done on purpose, if you always happen to be sick when you want a long weekend, well that's an abuse. I think that's why it's in here.

Mr. Chairman: Those in favour of Mr. Bounsall's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

I declare the motion lost.

Any further comments, questions or amendments on a later section of the bill then?

All right, we have certain matters to decide. Call in the members.

Oh, I am sorry?

Mr. Breithaupt: Mr. Chairman, before you do that, might I suggest that if we are going to deal with Bill 269 in committee it might be convenient to deal with that bill now. Then the votes on both could be attended to at once, because those are the only two bills we have in committee. If that is satisfactory I think it will save us a half hour that could be put to better purpose.

Mr. Chairman: Is that agreed?

Agreed.

WORKMEN'S COMPENSATION ACT

House in committee on Bill 269, An Act to amend the Workmen's Compensation Act.

Mr. Chairman: Are there any comments, questions or amendments on any of the first four sections?

Hon. Mr. Guindon: Yes, Mr. Chairman, I have an amendment to section 6.

Mr. Chairman: I have one here for section 5, subsection (6).

Hon. Mr. Guindon: The amendment I have here has to do with section 6 of section 36, as set out in section 5 of the bill.

Mr. Chairman: All right, that's section 5. Is there anything before section 5?

The hon. minister on section 5.

The hon. minister may place his amendment.

Hon. Mr. Guindon moves that section 6 of section 36 of the Act, as set out in section 5 of the bill, be struck out and the following substituted therefor:

Where a child is entitled to compensation under this section and is being maintained and taken care of by a suitable person who is acting *in loco parentis* in a manner that the board considers satisfactory, such person while so doing is entitled to receive the same monthly payments of compensation for himself or herself and the child as if he or she were a widow or widower of the deceased, and in such case the child's part of such payments shall be in lieu of the monthly payments that he would otherwise be entitled to receive.

Mr. Chairman: Shall the motion carry?

Mr. Reid: Mr. Chairman, we've gone over this pretty thoroughly in committee. Neither the NDP critic nor myself nor the minister is a lawyer, but I gather the legal beagles in the minister's department have decided that *in loco parentis* is the phrase to use. I think we would agree with the substance of it.

Mr. Bounsall: I want to say, Mr. Chairman, that this was covered thoroughly in committee and by putting all our minds together this is what we came up with as the proper way to handle this section. We are glad to see it here.

Mr. Chairman: Shall this motion carry?

Motion agreed to.

Mr. Chairman: Are there any further comments, questions or amendments in any later section of the bill?

Mr. Bounsall: I have one on section 7.

Mr. Chairman: Anything before section 7?

All right. The member for Windsor West on section 7.

Mr. Bounsall: Mr. Chairman, I have an amendment for 7. I'll put the amendment and explain it following that.

Mr. Bounsall moves that section 7 of Bill 269, An Act to amend the Workmen's Compensation Act be amended as follows. By deleting the words "do not" in line 1 and by inserting the word "occurred" in the second line the words "after the first day of January, 1964, and the benefits are to commence not—"

Mr. Bounsall: Thank you, Mr. Chairman. By this amendment, section 7 would now read:

> Sections 5 and 6 apply to a widower or a dependent common-law husband where death occurred after the first day of January, 1964, and the benefits are to commence not before the first day of January, 1974.

We hashed this out in committee. At one point we thought we had agreement to go back to the ministry officials, the minister and the Workmen's Compensation Board people, to consider exactly how far back you were going, rather than to 1964, 10 years back, to pick up the cases in which the woman had been killed at the workplace, leaving a widower or a common-law husband who should be receiving the pension, which would start with deaths which would occur after Jan. 1, 1974. It's section 30 in the Act. I left that section at the committee stage, and the impression in my mind at that point was it was just a matter of how far back you would go.

We've heard from the minister that there are very few cases anyway—one or two cases—where a woman has been killed in a workplace over the last couple of years. The files of the Injured Workmen's Consultants turned up two more, I think it was, over the last couple of years. There are not many cases of this, and it was pointed out to us that wherever a pension benefit is extended, one doesn't make that pension benefit retroactive.

In this case, if the death of the woman occurred in 1965 and the widower did not receive a pension then because this Act would not do it, you do not, under this Act or any Act, go back and pay it to 1965, but you start in 1974, on the day on which the legislation comes in indicating that you will pay in such cases. You start to pay the pension benefit for the death which occurred in 1965 in 1974; you do not back-date it to 1965, you start payment in 1974 for that.

That's the principle that applies. This was the principle which, by discussion in committee, we thought we had agreement on. The only point of uncertainty was how far back it would go, and we talked about five years or 10 years, or two or three.

You came back to us and said, "We've decided not to do it," so we've had to do it this way, by placing this amendment. And we will divide the House on this amendment, because we feel very strongly about it.

There are few such cases anyway, and it advocates a very good principle when a pension starts. It applies to all those who are eligible for it, but can start at a certain date in the future, which this does. My amendment is to have that effect. We are not back-dating it to 1964, but it picks up all those cases since 1964 who are eligible and starts their payments on Jan. 1, 1974—and when I say "all those cases," I'm very aware that there aren't very many.

Let me say at this point, in looking through your files you might find a case in which a woman was killed at her workplace and whose death was caused by an accident in her workplace and was not caused by heart failure or something like this—it was clearly the result of an injury at work —and that woman happens to have a spouse, in this case a widower, who is making a very good salary at some other position. What I'm saying is that income is not sufficient cause to say that the widower shouldn't receive a pension because of the death of that woman in the workplace.

A pension should go to the widower irrespective of how wealthy that widower might be, providing it is clear that that woman was killed in the workplace. We should not stop shy of a certain point in time simply because it might, in looking at the individual cases, apply to a person who we now know, the woman having died, the widower is making a good salary.

That should not be. That should not be the principle that applies here. You go back, you pick it up, you pay it to everybody.

Because a man you know, a widower, is making a very good salary now and you say you are a little bit hesitant about paying him, what you are still saying is that you are hesitant to accept that a woman working in the workplace is worth anything to her husband and to her family and is making a contribution. That's what you are saying, if you start fuzzily thinking that maybe because of the salary the widower is making he shouldn't receive a pension because of the death of his spouse or his common-law spouse.

The whole reason for introducing this and changing widow to widower in this whole section, which we applaud, which we very much applaud in this amendment to the Workmen's Compensation Board Act, was to give credence to the feeling, to show that you did believe that a woman is worth something to the family when she works. If she's inadvertently killed in that workplace, the family should receive a pension therefor.

So don't in this particular amendment I have, don't stop it shy of the given date just with a specific instance in mind. It should apply right across the board. We are suggesting go back and pick up the cases for 10 years back and start paying them on Jan. 1, 1974.

Mr. Chairman: The hon. minister.

Hon. Mr. Guindon: The question was debated quite thoroughly at committee stage, and I said at the time, quite rightly, that I would reserve my decision until I came back after the recess. Well I said that no, I could not accept the retroactive aspect of it.

There are two points raised here. First, where do you put the line of demarcation, the cut-off line? You are talking about five years, 10 years, 20 years. Why five years rather than six years and as he said, it's not a question of money, I don't think, or how many cases. Perhaps we may have one case that might qualify, I am not sure. Less than five cases anyway, to my knowledge, but perhaps only one, could qualify with your amendment. It's a question of principle; the principle of retroactivity and the precedent we could be setting here in the case of other benefits that we might want to add in the Act in the future. For that reason I have made the decision that we will not accept the amendment as set out by the member for Windsor West.

Mr. Chairman: Those in favour of Mr. Bounsall's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Stack this one as well.

Any further comments, questions or amendments on a later section of the bill?

Mr. Bounsall: Mr. Chairman, I have one on section 8, and within that section, section 68(1), over on page 6. I am reading from the amended bill, as reprinted for the resources development committee, on page 6.

Mr. Bounsall moves that section 8 of Bill 269 be amended by inserting after the word "council" in the second line of section 68 (1) the words, "and a committee composed of management and labour representatives."

Mr. Chairman: Any comments?

Mr. Bounsall: Yes Mr. Chairman, again we went quite thoroughly into this whole subject in committee; and here again was a point on which we thought we were making some headway, and various government members were agreeing and the Workmen's Compensation Board people and the ministry people were to come back and indicate a change. It is a very important area here. According to what was recommended in the task force report on the Workmen's Compensation Board, a joint consultative committee was to be established. Section 70, subsection 3(h) covers the formation of it; at least, the board has the power to form it.

In discussions as to what the joint consultative committee might do, one of the things which clearly emerged is that it should have an opportunity to look over the regulations and the proposed amendments to the Workmen's Compensation Board Act. That could very reasonably be one of its functions and if that was the case we should insert in section 68(1), as my amendment does, a way in which a consultative group of this sort could have a look at the regulations which accompany the Act.

We feel, of course, that this is very important because the regulations committee of this Legislature does not have a chance to look at the regulations before they come in. In fact, after the regulations are proclaimed and the Act is enforced the committee has very little power to do anything with them. It can only look at those regulations and see if there is enough legal power given within the Act to make those regulations.

Mr. Lawlor: Has that committee ever met? That is the whole problem in this House.

Mr. Bounsall: It cannot say this is a good or a bad regulation in terms of the intent of the House, the discussion which occurred in the House in debate upon the Act, or any commitments which may have been made to interpret it in a certain way. There is no way. If a regulation comes in which is exactly opposite to the feeling of the debate at the time and the commitment made by the minister, there is no way the regulations committee, seeing the regulations completely opposite to the intention, can change it.

This whole area of regulations is a very important topic; a very important subject. There should be some meaningful way by which the people can come in and comment upon the regulations, particularly with a joint consultative committee about to be formed. In section 68(1) we say, by my amendment, send the regulations to a committee like that and let it have a look at them. You note I was very careful not to spell out joint consultative committee. This amendment would allow for these regulations to be sent to the joint consultative committee I have referred to, or some other committee.

You may not want to use the joint consultative committee for this purpose. You might want to form another committee which looks peculiarly at that. That is why the wording in my amendment would cause section 68(1) to read:

> Subject to the approval of the Lieutenant Governor in Council and a committee composed of management and labour representatives, the board may make such regulations as may be considered expedient for carrying out the provisions of this part.

That is why, Mr. Chairman, I have phrased it this way, a committee composed of management and labour, so it can be a separate committee other than the joint consultative committee, or it can be the joint consultative committee as well.

Mr. Reid: Mr. Chairman, we will support this amendment. I had intended to introduce a similar amendment later on in section 70 of the bill to be a little more specific, perhaps. However, I suppose the concept is just as well brought into the bill in this section.

We had a great deal of discussion again in the committee on this. I must say to the

minister, in case I don't get another chance, I think that is one of the most fruitful standing committees I have been a member of in the six years I have been here. I would hope he would urge his colleagues to use that device more often, because I think it results in legislation that is good and maybe even more importantly, well understood not only by the legislators but by the public which shows up.

In any case, there was one thing that was obvious in that committee. That was that this provision for a joint consultative committee was not a very clear concept in the minds of the Workmen's Compensation Board members or your deputy chairman. I think that was obvious, and I think it was obvious that it was somewhat unclear in the mind of the minister himself.

We had a lengthy debate or discussion about the need concerning regulations. I won't go through McRuer again, but we all know the argument that McRuer put forward that the delegation of regulatory powers is something that should be closely supervised and, if possible, should not be done at all. The Workmen's Compensation Board task force recommendations are tied in a way into the bill, giving carte blanche to the Workmen's Compensation Board to make the necessary regulations. I just want to underline again for the minister our concern that these be reviewed before they are promulgated and made public. We feel in this party, and my friends on the left obviously feel the same, there should be some kind of prior scrutiny at least by those two factions of the public that are most concerned and most directly affected, labour and management.

There should be a specific committee set up to deal with these matters. However much affection and confidence we have in Mr. Starr and the other board members, still I think we would be abdicating our responsibility if we allowed this carte blanche handing over of regulation-making powers without putting some provision in there to protect the public. Quite frankly, I would like to have seen the amendment read, "and a member of the public as well," so that there would be some outside source, whether he be a university professor of perhaps someone from the injured workmen's compensation organization or someone of that ilk, who maybe would bring to bear a larger public concern than perhaps the narrow views of management and labour on this matter. Surely I think the minister would agree this is a necessity. It would agree with McRuer, which I believe my friend from York—Mr. MacDonald, in any case—

Mr. MacDonald: The self-righteous member for York South.

Mr. Reid: —York South, says is one of the guideposts or the bibles of the present government, the McRuer report. Surely the minister would agree with this amendment and would specify for us, because we are all concerned, just what is the body that is going to scrutinize these regulations before they are passed by the Lieutenant Governor in Council. I would hope the minister would give serious consideration to adopting this amendment.

Mr. MacDonald: Mr. Chairman, before the minister responds, I want to put a case which is partly repetitive of what has been said, but I hope I can at least underline the importance of one or two points. I had the benefit of participation on the standing committee. Just in passing, may I say I agree with the hon. member for Rainy River that the experience there reaffirmed once again that the standing committee can be a very, very useful mechanism for review of legislation and indeed can help the government to protect itself from pitfalls or unwitting weaknesses in a bill. It can be picked up by a group of people who give it some intensive examination at that level and have the opportunity for input from outside groups.

The minister shakes his head. The only reason why I raise the point now is that I have to qualify my enthusiasm, because when we achieve what appears to be a consensus, then for reasons, which I shall look forward to with great anticipation from the minister, the consensus is dismissed.

Let me deal with the specifics. The reason there was an overwhelming view that there should be some review process by those who are intimately involved with living with the Workmen's Compensation Board, labour and management—and for the moment I'm not going to bring the public in—the reason that was done was twofold.

First, there is the general proposition of the need for a review of regulations, which are often the guts of a bill, brought in after the shell has been passed by way of the statute itself. That is a point that McRuer addressed himself to in pretty vigorous terms.

Second, there's a lot of public concern with regard to the Workmen's Compensation Board, which I think the minister should

not ignore too readily. I think we've got to rebuild the kind of confidence that was pretty badly shattered under the regime of the former chairman. I think we are off to a good start with the new chairman, his kind of open-minded approach and, to use his term, "the humanization of the Workmen's Compensation Board."

But there's an incredible raft of recommendations, some of which perpetuate the old apprehensions with regard to the workings of the board. It seems to me that the way you're going to still that apprehension is to have a review mechanism, so that any time a regulation is going to be put into effect, it will be discussed at least with labour and management—and if you can find a knowledgeable representative of the public, I have no objection. But at least competent and authoritative spokesmen for labour and management should take a look at it. It will be good for the clientele, so to speak, and it will be good for you, for the administrators of the board.

One of the great benefits that came out of the standing committee was the testimony —unanimous, as far as I could see, on behalf of those labour representatives who were there—that there was a need for a comparable kind of body to the advisory council in the instance of the Industrial Safety Act, which is wholly successful, wholly supported and is felt by everybody concerned to be the kind of mechanism that provides a review in advance of the proclamation of the regulation. So why not here? That's the question I want the minister to answer: Why, having achieved a consensus in the committee, it now seems to be dismissed.

While I'm on my feet, Mr. Chairman, let me make a brief comment with regard to the so-called advisory councils and the joint consultative committee in sub-subclauses (g) and (h) of section 70(3). I'm going to put this rather bluntly, because quite frankly I think the circumstances justify it being put rather bluntly.

I was disappointed and puzzled by the fuzziness of the thinking of those in the Workmen's Compensation Board and in the ministry, some of whom had been involved in the whole task force process, as to what exactly they wanted to do here.

I don't think it was good enough to come and say that you're putting into a statute, which is the binding law from this point forward, that you don't know and you're going to experiment. It seems to me you should have had a much clearer idea.

I think there was a lot of testimony to suggest that if you were looking for people with a certain vested interest vis-à-vis the operations of the board, such as medical doctors, pensioners, physical therapists or like chiropractors, they appropriately would be brought together in the context of an advisory council to be able to give the benefits of their continuing experience to the overall board.

The thing that puzzled me was the comment at one point of the deputy minister, who had been a member of the task force, in reference to the consultative committee—that it was going to be what he described as an early warning system as to weaknesses in the policy and the law, so to speak, so that you would be alerted to changes that might be considered and conceivably should be implemented.

Well, it seems to me that kind of a body is going to be qualified and competent to alert everybody concerned to new changes in the law precisely because its members have lived with it and its operations. That's why I personally like the idea of the consultative committee being given the responsibility for review of the regulations. I'm tying my two points together here now.

I concede that it introduced a new concept that apparently was foreign to the rather vague thoughts as to what the consultative committee was going to be. Because if it's only going to be an early warning system for changes that should be made, maybe that's one thing and you do it in a quiet, detached way, rather than the day-to-day nitty-gritty review of regulations for the daily operation.

It seems to me the two are part and parcel of the whole thing. The people who are dealing with regulations and their validity are the very people who will say, "Just a minute now, that regulation meets part of our problem, but it doesn't meet the whole problem, therefore we should consider a change in policy." They will come to that conclusion precisely because they have had to live with the day-to-day operation of the board.

However, just let me wrap it up. All I am saying is I was disappointed and puzzled by the vagueness, the fuzziness, indeed the conflict, in whatever appeared to be the concept to the extent that they emerged between the advisory councils and the joint consultative committee. But, for better or for

worse, we are now going to let that be the product of experience and we can come back next year or the year afterwards and make the Act conform with reality.

I would like to have seen a bit more clear thinking so that the Act could have been clear and then you could build your reality in the next year or so.

But back to this stage here, my question to the minister is, after all the consensus that has emerged in the committee as to the need and the great value to everybody concerned, including the board, for a review of regulations, why have you dismissed, holus-bolus, any kind of a group that is going to review those regulations?

Mr. Chairman: The hon. minister.

Hon. Mr. Guindon: Mr. Chairman, first of all, I too, really enjoyed this day at the standing committee on resources development. I think, personally, we accomplished a great deal. In fact, we have accepted quite a number of amendments based on suggestions made by members of all parties.

With reference to this particular section, I don't think we are all that far apart, except that the hon. member would like to enshrine this in the Act. It is my conception that insofar as those regulations are concerned, which of course are subject to the approval of the Lieutenant Governor in Council, there will be a great deal of consultation in advance with this joint consultative committee. I know he referred to our safety inspection branch, where all the regulations are dealt with and discussed by the Labour Safety Council. I don't know how many meetings they have had. I think one of the representatives of the labour movement on this council said he was quite pleased the way things were working out.

I think the only difference we are talking about here, unless I missed the point, is that we are not enshrining it in the Act. But there will be consultation with these people.

I would like to know more about the advisory councils, although I think the deputy minister indicated that on special cases, perhaps something very technical, they could use these councils to help and advise the joint consultative committee. But in any event, that is the purpose, and that's the thinking I have, that in drafting regulations there will be plenty of consultation with both labour and management at all times.

Mr. Chairman: Those in favour of Mr. Bounsall's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

We'll stack this with the rest.

Will there be any further comments, questions or amendments on any later section of the bill?

Mr. Bounsall: A very quick amendment on section 71, subsection (2), Mr. Chairman.

Mr. Chairman: Well, we have to rise and report at this time.

Mr. W. Ferrier (Cochrane South): There are 2½ minutes yet.

Mr. Bounsall: I could do it rather quickly, you know.

Mr. Chairman: All right, go ahead.

Mr. Bounsall moves that section 8 of Bill 269, An Act to amend the Workmen's Compensation Act, be amended by deleting the words "the chairman may determine," after "as" in the last line of section 71(2), and substituting therefor the words, "may be determined."

Mr. Chairman: Does the hon. minister understand the motion? Perhaps the member might comment while I am awaiting the receipt of his written amendments.

Mr. Bounsall: Yes; well very quickly, as the minister and the members of the House who were at the resources standing committee have already had quite a discussion over the powers of the board vis-à-vis the chairman; we were concerned in many cases that the chairman be responsible to the board and the board have the overriding power, a lot of which, in most cases, it would give to the chairman again, but that the chairman would come and, to your credit, to that extent you did amend section 71 in subsection (1) so that personnel policies were approved by the board and then, of course, the chairman carried them out.

In my amendment I would have subsection (2) say:

> When the board, by virtue of any power vested in it, appoints or directs any person other than a member of the staff of the board to perform any services, such person shall be paid such sum for services and expenses as may be determined.

I just say "as may be determined" rather than "as the chairman may determine,"

because this is the area in which other people from outside are going to get some payment. All right?

Now, in most cases, the board would say again to the chairman, "Go ahead and determine it." But you could get a chairman at some time—not the present chairman—who may well be making some funny appointments here. For instance, if backbench Tories can no longer serve on commissions, you might find them receiving some sort of pay for workmen's compensation services. Then the board could say:—

Mr. Reid: Like the NDP members, or something.

Mr. Bounsall: —"Hey, what's going on here? These aren't, in our opinion, proper appointments." This would give them the power to come in at that time and have some say on who gets paid and how much for these people coming in and performing additional extra services.

Hon. Mr. Guindon: Mr. Chairman, this is another area of disagreement. We think here that the chairman needs those powers and I would like to try this first. I will not accept the amendment.

Mr. Chairman: Those in favour of Mr. Bounsall's motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Mr. Deans: Stack this one.

Mr. Chairman: We'll stack this one.

Are there any further comments, questions or amendments?

Mr. Deans: No.

Mr. Chairman: Then there are certain matters to decide which, if you will agree, I would suggest we leave until this afternoon.

Mr. Breithaupt: Yes, Mr. Chairman, I was going to suggest that, if the minister agrees, rather than disrupt the lunch period with an unnecessary delay, we could perhaps have the committee rise and report. Then, if we could return to this order of business immediately after the question period, when the members will be more readily available, perhaps, the votes could be dealt with conveniently.

Mr. Chairman: Either that, or I might suggest the Whips of the respective parties might inform the members there will be a vote immediately into the orders of the day, whichever is decided.

Mr. Breithaupt: Whichever would be satisfactory to the whole House.

Hon. Mr. Guindon moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports progress and asks for leave to sit again.

Report agreed to.

It being 12:33 o'clock, p.m., the House took recess.

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No. 167



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Third Session of the Twenty-Ninth Legislature

Wednesday, December 12, 1973

Afternoon Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 12, 1973

The House resumed at 2 o'clock p.m.

Mr. Speaker: Statements by the ministry.

TEMPORARY FINANCING FOR TORONTO HOUSING PROJECT

Hon. R. Welch (Provincial Secretary for Social Development, Minister of Housing): Mr. Speaker, I am pleased to be able to tell the House this afternoon that as Minister of Housing I have offered to arrange temporary financing for the city of Toronto so it can go ahead with planning and development work on the Dundas-Sherbourne project while consideration is given to details of enabling legislation providing for municipal non-profit corporations for housing.

In a letter which I have sent to the mayor today, I indicated that I have recommended to the board of directors of Ontario Housing Corp. that it provide what we will call a bridging loan to the reconstituted Toronto Housing Authority under the Housing Development Act. This loan, which will not exceed $2 million, will be discussed by the directors at their meeting on Tuesday, Dec. 18.

I have also assured the mayor that the Ontario Housing Corp. is prepared to provide technical advice to the staff of the city of Toronto engaged in the development of the block.

Members of the House, of course, will recall that the block was purchased earlier this year by the city under a partnership arrangement financed 92½ per cent by the government of Ontario through OHC, and 7½ per cent by the city.

Mayor Crombie had sought such action as today's when he wrote me earlier this month seeking provincial authorization of the non-profit corporation or interim financing of the project until the government makes a policy decision on the appropriateness of such corporations.

We are now working on such enabling legislation for non-profit municipal co-ops and because of the city's concerns for maintaining forward momentum, and because of my similar concerns, I have recommended the action I have just outlined to the House.

HYDRO PURCHASE OF COAL FROM WESTERN CANADA

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, I am very pleased to announce on behalf of the government and on behalf of Ontario Hydro the purchase of some 250,000 tons of coal by Hydro from western Canada. Ontario Hydro has placed an order with Byron Creek Colleries to supply this amount of coal in 1974 from a mine in southeast British Columbia. The coal is of high heat content compared to most coals available and may be suitable for use in existing boilers. The 1974 delivery is to be used to check out the suitability of longer term purchases. A long-term contract will depend on the success of the test burns and the acceptability of the outcome of further negotiation.

Mr. Speaker, I would further advise the House that two orders for test coal, totalling 250,000 tons, are expected to be placed with Alberta companies in the near future as well.

UNDEVELOPED HYDRAULIC SITES IN NORTHERN ONTARIO

Hon. Mr. McKeough: Mr. Speaker, several weeks ago, I think, the member for Sandwich-Riverside (Mr. Burr) and the member for Sudbury (Mr. Germa) asked questions about undeveloped hydraulic sites in northern Ontario. A question was placed on the order paper and that was tabled on Dec. 3, but I would like to speak further to that.

Last June the government announced that Ontario Hydro must rely almost totally on the installation of fossil-fired or nuclear generation to meet the annual increase in the demand for electricity by the people of Ontario. On the other hand, Hydro has continued a modest but orderly programme for the development of a number of relatively small hydraulic sites. In the past few years these have included such stations as:

Mountain Chute Generating Station on the Madawaska River in 1967; Aubrey Falls Generating Station on the Mississagi River in 1969; Wells Generating Station on the

Mississagi River in 1970; and Lower Notch Generating Station on the Montreal River in 1973. Hydro has under construction at the present time Arnprior Generating Station at Arnprior on the Madawaska River.

In northern Ontario it is estimated that there may be between one million and two million kilowatts of potential capacity in undeveloped hydraulic power sites. Many of these sites are marginally economic or uneconomic, either because of their remoteness from existing transmission or grid facilities or because of the relatively low head—the vertical drop—available. However, with the projected rise in cost for coal and oil, some of these northern hydraulic sites may be economic with the passage of time. Accordingly, within the next year, Hydro will review its previous studies of these undeveloped sites in northern Ontario from economic, social and environmental viewpoints, and will consider the feasibility of committing other hydraulic plants as part of its long-range capital construction programme. Plans to develop any of these hydraulic sites would be conducted with the co-operation of the appropriate government ministries and the public.

VISITORS

Mr. Speaker: Before we proceed with the oral question period, I should like to inform the members of the House that we have some special guests with us this afternoon, members of the California Legislature. They are Hon. Ken Meade who is chairman of a legislative committee; Hon. Howard Berman who is vice-chairman—

Mr. R. F. Nixon (Leader of the Opposition): They come to see what we are doing in Toronto the way we go to see what they are doing in Sacramento.

Mr. Speaker: —Hon. Wadie P. Deddeh, who is chairman of the committee on finance and insurance; and Hon. Louis Papan, who is vice-chairman of that committee.

These members do, in fact, constitute the membership of a committee similar to our select committees.

Mr. R. G. Hodgson: (Victoria-Haliburton): Mr. Speaker, as chairman of the rules and procedures committee for this House in 1969, the California Legislature was of invaluable help to us and gave us a lot of ideas. I want to make that perfectly clear to our guests today, just how valuable we found their experience and appreciated their guidance, and how they helped us and assisted us at that time.

Hon. W. G. Davis (Premier): Mr. Speaker, I would just like to extend my own personal word of welcome to our guests from the State of California, and share with the House the experiences we had in the state in assessing the non-controversial area of community colleges some few years ago.

Mr. R. F. Nixon: The Premier went there on his way to Florida, as I remember; or was it Hawaii?

Hon. Mr. Davis: No, I went to Florida and then to California. But we looked at both states and, as I think I observed then, the State of California at the junior college level had one of the most progressive systems of post-secondary education in that field, and their experience was very helpful to us.

I just wanted to make it clear to the members opposite, particularly the member for Brant—and it's too bad the member for York-Forest Hill (Mr. Givens) and the member for Downsview (Mr. Singer) aren't here —that the very distinguished group of legislators who are visiting us here in Ontario at this moment are here not to study educational matters or administration of government. Believe it or not, they are here looking at transportation developments in the Province of Ontario.

Mr. R. F. Nixon: On behalf of the opposition, I should add my word of welcome to the legislators from California, because so many of my colleagues have visited Sacramento from time to time to get their advice on many matters in which they lead. Unfortunately, I've never been able to join them—

Mr. W. Hodgson (York North): Maybe the Leader of the Opposition should go down.

Mr. R. F. Nixon: —but I look forward to that at some time in the future.

I wonder, Mr. Speaker, while I am welcoming the members from Sacramento, if it would be fair to ask if they are trying to convince the Premier that something similar to the rapid transit in San Francisco is what we should have here in Toronto?

Hon. Mr. Davis: Mr. Speaker, we didn't have an occasion to discuss in detail the Bay Area Rapid Transit system, with which I

am somewhat familiar, but I think I would be prepared to discuss with them, that while this represents a very significant change and a very substantial measure of progress in the area of transportation, certainly as it relates to San Francisco, Berkeley, Richmond, Palo Alto and other areas—you name it; they are all sort of connected—I think I would also say that while this represents a very significant step forward, the introduction of the intermediate capacity system as being developed in the Province of Ontario probably will represent a further step forward in the field of transportation, which I'm sure the people in California will be delighted to emulate when we gain a little more experience.

Mr. A. J. Roy (Ottawa East): Did the Premier tell them to come back at 7 o'clock?

Mr. J. E. Stokes (Thunder Bay): We wondered where the member left his party?

Hon. A. Grossman (Minister of Revenue): The member from California should have the right to reply.

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, I would like to introduce to the hon. members a guest with us today, the Hon. Russell Doern, Minister of Public Works of the Province of Manitoba, who is seated in your gallery, sir.

Mr. Stokes: Great province.

Mr. D. C. MacDonald (York South): Great province and a great government.

Hon. Mr. Grossman: Even Manitoba can learn.

Mr. Speaker: Oral questions.

The hon. Leader of the Opposition.

MEMBERSHIP OF HYDRO CROWN CORPORATION

Mr. R. F. Nixon: Perhaps it might be appropriate to ask the Premier if he or his colleague, the Minister of Energy, is prepared to announce, today or tomorrow, the names of the members of the new Crown corporation governing Ontario Hydro.

Hon. Mr. Davis: Mr. Speaker, this is a matter that is being actively pursued. I cannot undertake to the Leader of the Opposition that they will be announced either today or tomorrow, but the matter is under very active consideration.

CORRECTION OF ALBERTA STATEMENT ON ONTARIO ELECTRICITY EXPORTS

Mr. R. F. Nixon: A question of the Minister of Energy: If he knows something about it, has he responded to the statement made by the Premier of Alberta that Ontario is needlessly using gas to produce electrical energy which is then being exported to the United States? Has he made a statement to set him straight on the particulars of that matter?

Hon. Mr. McKeough: I haven't made a statement, Mr. Speaker, but I commented as recently as a week ago yesterday, when I was in Edmonton, as I've said here, that in general I would agree with that proposition. However, I would have to point out that Ontario is using something like up to 49 bcf of gas at the Hearn generating plant, which is about equivalent to the amount which is being used in Alberta for exactly the same purpose.

Mr. R. F. Nixon: Supplementary: Is the minister contemplating any change in the plan for the Lennox plant so that it will be changed from being an oil-burning plant, as far as the plan is now, to some other source of energy?

Hon. Mr. McKeough: Ontario Hydro are taking a look at the possibility. The plans are well along for it to be an oil-fired plant. They are taking a look at the possibility of making it a coal-fired plant as opposed to an oil-fired plant, for obvious reasons in terms of supply of oil and the escalation in price of oil. I think they are perhaps also taking a look at the possibility of it being a nuclear plant, as they have before, but I think that is pretty remote because of the time constraints.

Mr. R. F. Nixon: Supplementary: Is there a possibility that our experiment with—is it southern BC coal or southern?—southern BC coal will in fact lead us to switch some of our coal ordering and supply from the American supply that is so convenient across the lakes to shipment from the west?

Hon. Mr. McKeough: Well yes, if we can sort out the transportation cost problem, and that is an ongoing concern of both the government and Hydro, working with the government of Alberta: particularly on the part of the Ontario Ministry of Transportation and Communications which as members know, has retained distinguished consultants in this

field. There are discussions going on between MTC, the coal companies, the federal government, and particularly with the transportation commission, hoping to extract information so that more relevant and up-to-date transportation tariffs can be obtained from the Canadian railways.

Mr. T. P. Reid (Rainy River): Supplementary, Mr. Speaker: Is it not a fact that shortly before the Second World War, the Germans came up with a process of producing synthetic gasoline—and I am not sure if it was just gasoline from coal—and is the ministry looking at this as a possibility of providing an alternative source of fuel?

Hon. Mr. McKeough: The Ontario utilities, gas utilities, I know are very active in looking at the gasification of coal, which is being undertaken in other parts of the world on a test basis and on a preliminary basis, but it's a very expensive proposition.

Mr. Reid: Would the lignite deposits be of any assistance?

Hon. Mr. McKeough: I think that's perhaps a possibility, yes.

EFFLUENT INTO FAIRY LAKE

Mr. R. F. Nixon: A question of the Minister of the Environment, Mr. Speaker: Can he explain the circumstances under which his officials contermanded the order of the regional government council in Muskoka and permitted the Holiday Inn at Hidden Valley to discharge, apparently, five million gallons of effluent from their lagoon into Fairy Lake some time within the last month?

Hon. J. A. C. Auld (Minister of the Environment): Mr. Speaker, it's my understanding that we did not countermand any instruction from the regional council. We met with the council and pointed out that there could be problems in the wintertime if there was not a controlled discharge in the fall.

Originally, it was agreed that we would make a joint press release to notify people what was being done, that it was being done under supervision and why. Subsequently, the regional council asked to be deleted from the release, but were quite aware and in agreement with what we were doing. In fact I think I have—I guess I don't have it with me today—a letter to a number of people in the area, I guess it went out last night, explaining exactly what had happened.

Mr. R. F. Nixon: Supplementary: Can the minister assure the House, then, that the regional council at no time took a decision which was reversed by the Ministry of the Environment; and that in fact they had not given an instruction to the ownership of the Hidden Valley establishment that they should not and must not under their regulation discharge the effluents?

Hon. Mr. Auld: Well Mr. Speaker, there was a question about a regional bylaw, which is not enforced by this ministry but which would be enforced by regional Muskoka, and my understanding is that legally they could still enforce that, but they apparently have chosen not to do so.

However, I will get the detailed information about that for the hon. member, perhaps later on in the afternoon.

AMENDMENTS TO BILL 274

Mr. R. F. Nixon: I'd like to ask the Minister of Education if he has the proposed amendments to Bill 274 so we could have a look at them before we come up to second reading of that bill.

Hon. T. L. Wells (Minister of Education): Well, Mr.—

Hon. Mr. Snow: The member may want to change his mind.

Hon. Mr. Wells: Mr. Speaker, since the hon. member may, as my friend says, wish to change his mind again, I will be happy to get him a copy—

Mr. R. F. Nixon: Has the minister made up his own mind on those amendments?

Hon. Mr. Wells: I will be happy to get the Leader of the Opposition a copy as we go into second reading.

Mr. R. F. Nixon: Are they available now; and have they been made available to the teachers' professional organizations?

Hon. Mr. Wells: No, they haven't been made available to any teachers' professional organizations.

Mr. Roy: If it was such a good bill, why is the minister amending it?

Hon. Mr. Wells: As soon as they are ready and I have copies that are duplicated, I will see that members get them. It likely will be about the time we come to second reading of the bill.

Mr. R. F. Nixon: But the minister knows what they are.

Hon. Mr. Wells: I know what they are, yes.

Mrs. M. Campbell (St. George): Sure he does.

Mr. Speaker: The hon. member for Scarborough West.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. S. Lewis (Scarborough West): Yes, a question of the Premier: Given, for reasons I just don't understand, what appears to be the bad judgement on the part of the government sufficient to create irreparable damage with the teaching profession, and given the—

Interjections by hon. members.

Mr. Lewis: —given the closing, the possible closing down of the—

Some hon. members: Question.

Mr. Lewis: —and given the possible closing down of the schools in Ontario next Tuesday, would the Premier not consider withdrawing that compulsory arbitration bill, since it is totally unnecessary in terms of the plans of the government and it is wreaking such havoc, unnecessarily, in the process?

Mr. R. F. Nixon: I asked him that yesterday and the House had to adjourn.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, I really understand the non-provocative way in which the member for Scarborough West asked the question, although I can't help but observe that I was reminded yesterday of somewhat similar incidents when the same member was discussing certain controversial issues with the students from the College of Art. I could almost hear the same rhetoric being used yesterday afternoon.

I would only say to the hon. member—and I recognize the great difficulty in this legislation—it is my very sincere hope that the teaching profession in this province will not, in fact, vacate their classrooms next Tuesday; because, quite frankly, Mr. Speaker, I see this serving no useful purpose. But our responsibility as a government, and I hope I made this clear yesterday, is to develop the procedure where the classrooms that accommodate 176,000 students will be available for the purpose which any educational system must serve, and that is their education, on Jan. 3, 1974.

And, Mr. Speaker, while we recognize the emotional feelings of members of the profession, and while we are concerned about this aspect of it—

Mr. MacDonald: Which the government has created.

Mr. Lewis: They weren't there before the government created the bill.

Hon. Mr. Davis: —we in the government, Mr. Speaker, are prepared to accept our responsibility and are saying very simply, in essence, that a way has to be found to see that the school boards and the teachers in this province serve the legitimate ends of the school system, and that is the students; and we have found no alternative but to provide this interim legislation, to see that those schools are in fact operating on Jan. 3, 1974.

Interjections by hon. members.

Mr. Lewis: Given that the teachers obviously feel they are as committed to the system as is the Premier, that there are alternatives available, does he not think it appropriate, since the bill is as difficult and contentious as it is, that the teachers have the opportunity to appear before a committee of this House to discuss those aspects which so profoundly concern them, and that the Premier should make that possible before the end of this session, and before the bill is driven through the House?

Hon. Mr. Davis: Mr. Speaker, I think there is some awareness of the feelings and concerns of the teaching profession. I think I can understand some of them, because I doubt that there is anybody in this House, Mr. Speaker, with the exception of a few who have been, and perhaps still are, members of the teaching profession, who have a longer association with the professional teachers in the Province of Ontario than the present Premier. I say, and I say this most sincerely, that while I fully understand that they have reservations, that I am sure some may feel there are better alternatives, I would say with respect that this matter has been discussed, both quietly and not so quietly, over a period of years as to the ultimate—

Mr. Lewis: Never.

Hon. Mr. Davis: —as to the ultimate way—

Mr. Lewis: Not with them; never.

Hon. Mr. Davis: –of dealing with teacher-board negotiations.

Mr. Lewis: This is bad faith, all the way down the line.

Hon. Mr. Davis: And the basic principle contained in this bill–the matter that I think is the essence of what we will be discussing this afternoon and this evening–is that the government is proposing that the ultimate solution to bring about some finality to teacher-board negotiations, lies in the process of compulsory arbitration.

Mr. J. E. Bullbrook (Sarnia): This bill goes further.

Hon. Mr. Davis: And I fully recognize that the member for Scarborough West and his colleagues oppose that in principle and will vote against it in principle. I fully understand that the official opposition in this province, with its leader with both feet planted firmly in the air, does not know what principle it does want.

Interjections by hon. members.

Mr. R. F. Nixon: Supplementary question: Doesn't the Premier feel that when he is responding to a question of such urgency and gravity, that it is something less than becoming, either to himself or the political process, when he makes such a ridiculous political comment?

Interjections by hon. members.

Hon. Mr. Davis: I say this to the hon. member for Brant. I don't think there was anything less becoming than his party voting for the introduction of this bill on the urging of the hon. member for Ottawa East, and the series of questions, both by that member and the Leader of the Opposition, asking what plans we have if this school closing takes place on Jan. 3; voting for the introduction on first reading and coming in here after a press release, trying to have both sides of the issue in his hands. I say to him how responsible is that?

Mr. Speaker: The hon. member for High Park (Mr. Shulman).

Interjections by hon. members.

An hon. member: Calm down.

An hon. member: The member had better sit down.

Mr. Speaker: Order. Order, please.

Mr. J. H. Jessiman (Fort William): Is this a paid House call?

Mr. Speaker: I believe it is fair to let the hon. Leader of the Opposition have another supplementary.

Mr. R. F. Nixon: On a point of order, Mr. Speaker; you are aware of our customs in this Legislature. We voted for the introduction of that bill because we wanted to examine its provisions, which we now have done.

Interjections by hon. members.

Mr. R. F. Nixon: We find the provisions completely unacceptable. Let me ask this, Mr. Speaker, as a supplementary–

Interjections by hon. members.

Mr. Speaker: Order.

Mr. R. F. Nixon: Is the Premier not of the opinion that there are still some alternatives to going forward with this bill, which could be sending the bill to a committee investigation with the teachers, as was pointed out, or much better yet, the withdrawal of the legislation and consultation by the Premier and the member with those people who are directly concerned in the 17 instances–16 instances–which this bill attempts to settle by the imposition of compulsory arbitration?

Hon. Mr. Davis: Mr. Speaker, we do not believe that the matter will be resolved by myself and the Minister of Education sitting down with the 16 boards and the professional teachers who are employed by those boards. We have been urged by members opposite–I think the word was contingency; I say with respect the hon. member for Ottawa East knew exactly what he was asking and exactly what he was suggesting in the questions he asked–

Mr. Lewis: Of course he did; and he got it.

Hon. Mr. Davis: The contingency obviously is to provide a mechanism whereby this can be brought to some form of conclusion, and this is what this interim solution represents.

Mr. R. F. Nixon: A great misunderstanding.

Interjections by hon. members.

Mr. Speaker: Order, order. The hon. member for High Park.

Mr. M. Shulman (High Park): Does the Premier intend to be consistent and bring in emergency legislation today to make sure that our schools are open next Tuesday?

Mr. Lewis: That's right.

Hon. Mr. Davis: Mr. Speaker, it is not our intention to bring in legislation to see that the schools of this province are open next Tuesday. If it is the thought of the member for High Park that he would be prepared to introduce a bill in this regard—

Mr. Shulman: It is not.

Hon. Mr. Davis: If he is not why would he ask the question? Why would the hon. member ask the question?

Interjections by hon. members.

Mr. Lewis: The minister's little homilies to the system.

Hon. Mr. Davis: It is our very sincere hope that the teaching profession in this province will not close the schools and will be in the classrooms on Tuesday of next week, so we are not preparing to deal with that possibility.

Interjections by hon. members.

Mr. Shulman: What is the difference between that and Jan. 3?

Mr. Speaker: The hon. member for Ottawa East.

Interjections by hon. members.

Mr. Roy: Mr. Speaker, could we have some order in this place?

Mr. Speaker: Order, order.

Mr. Roy: Do we have to adjourn this House again?

An hon. member: Will the member speak in French.

Mr. Speaker: Order, please.

Mr. Roy: Mr. Speaker, my question is of the Premier. In the light of his answer that he has been discussing and looking at this situation for a period of approximately a year, how in heaven's name does he justify the fact that he can bring in a piece of trash, really, poor legislation like this Bill 274, if he has been looking at this situation for a period of a year?

Interjections by hon. members.

Mr. Roy: When we talked about contingency legislation we meant it, but not a piece of legislation like this.

Hon. G. A. Kerr (Provincial Secretary for Justice): Make amendments then.

Mr. Lewis: He was pressured.

Hon. Mr. Davis: Mr. Speaker, while I would not in any way wish to pre-empt your prerogatives, I would say with respect we are really getting into a discussion which more properly would take place on second reading of the bill.

Mrs. Campbell: The Premier takes responsibility?

Hon. Mr. Davis: I would only say to the hon. member for Ottawa East, we have for a period of time, or the minister has, in a very comprehensive and sincere way been attempting to talk to the trustees' council of the Province of Ontario and the Ontario Teachers' Federation—

Mr. Lewis: That's right.

Hon. Mr. Davis: —with respect to developing a mechanism whereby teacher-board negotiations can be put on a viable basis which is reasonably acceptable.

Mr. R. Haggerty (Welland South). What has the ministry been doing for a year?

Hon. Mr. Davis: The bill tabled here by way of first reading represents what this government feels could be the long-term solution to that problem.

Mr. Roy: Right.

Hon. Mr. Davis: The government was also faced, and I don't want to keep referring to it—

Mr. Roy: The government had better do something.

Hon. Mr. Davis: —but it was brought to our attention with great regularity by the hon. member for Ottawa East, with the problems facing the thousands of young people in the city of Ottawa and surrounding areas.

Mr. Roy: Right.

Hon. Mr. Davis: We then looked at the situation, recognized we were directly involved with 176,000 students and that there must be some interim solution in which the principle—

Mr. Roy: Not this one.

Hon. Mr. Davis: —was not dissimilar to the long-term suggestion. That is, the culmination of teacher-board negotiations in the Province of Ontario—

Mr. Lewis: No. This bill is bad faith.

Hon. Mr. Davis: —must be on the basis that the professional teachers must recognize they are in a somewhat different position.

Mr. Bullbrook: It is a different bill and a different principle and the Premier knows it.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Davis: We are saying as a principle in both bills—

Mr. Bullbrook: The Premier changed the ground rules.

Hon. Mr. Davis: —there has to be a solution other than by mass resignation or the word strike which I do not like to use.

Mr. I. Deans (Wentworth): Is that a no-no as well in this House?

Hon. Mr. Davis: That is what is embodied in the interim legislation available.

Mr. Speaker: The hon. member for Scarborough West.

Interjections by hon. members.

Hon. Mr. Davis: What's more if they were out on Jan. 3, the member would be the first one screaming to get it solved.

Interjections by hon. members.

Mr. Lewis: The Premier could recall the Legislature. He doesn't need this bill.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Davis: How retroactive would that be?

Mr. Bullbrook: The Premier will be here on second reading to join us in the debate? Does he guarantee that?

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Speaker: I should point out to the hon. members that this is the oral question period and that full scale debate should not take place during this oral question period, particularly in view of the fact there will be an opportunity for a full debate on this particular bill at a later point in time — today, tomorrow or the next day or next week. Therefore, we should restrict any further discussion of this bill at this time. The hon. member for Scarborough West is next.

HALL LAMP CO.

Mr. Lewis: Good, especially since we are governed by rules and regulations derived from Sacramento.

May I ask the Premier, in the absence of the Minister of Labour (Mr. Guindon), has anything been decided on the part of the government to maintain the Hall Lamp Co. in operation? Has the government discussed the possibility of a private venture, a joint public-private venture or a Crown corporation, those things which were raised in the House some two weeks ago?

Hon. Mr. Davis: Mr. Speaker, I think really the Minister of Industry and Tourism could properly answer this question. I know of certain discussions which have been going on in the past few days. I think the Minister of Industry and Tourism may be in a position to comment more specifically on it.

Mr. Lewis: A supplementary: Could he answer it if I refer it?

Mr. Speaker: I think the question was referred by the Premier to the hon. minister; and I will accept it as a supplementary.

Mr. Roy: That's a nice suit.

Hon. C. Bennett (Minister of Industry and Tourism): Thank you, we can afford it on this side of the House.

Mr. Lewis: They certainly can.

Mr. J. R. Breithaupt (Kitchener): Much better than on this side.

Hon. Mr. Bennett: Mr. Speaker, in recent days we have been—we make no apologies to anyone for that, I say to the hon. member for Kitchener.

Mr. Speaker, we have been in touch with the receiver on behalf of the Hall Co. Within the last day or two he has returned from the United States after talking with the receiver for the parent company. He now has in his possession the books and the

accounts and the financial position of Hall, at least the details of them, which he is analysing.

In the interim, Ontario Development Corp. has been making some inquiries of other firms which might be interested in establishing or in the continuation of the operation of Hall at Centralia. We are not in a position to announce whether we can bring those negotiations to a successful conclusion until we know exactly the financial position the Hall Co. is in at this moment.

Mr. Lewis: A supplementary: Does the minister know that the receiver spoke on the phone, I believe today or yesterday, to the full-time international representative for the union and told him that there was enough money in the company to pay, if necessary, the termination pay to which the 396 workers would be entitled, but that money would probably be required for other secured creditors with the workers' needs inevitably at the bottom? In the process of its negotiations, can the ministry assure that the money is given to the workers first, indeed that an amendment be brought to the Employment Standards Act before it passes this House today in order to effect that?

Hon. Mr. Bennett: Mr. Speaker, first of all, I am not aware of any discussions that might have taken place between the receiver and the representative of the international union. If the receiver has made those remarks I would think that they should have been given to the people that are responsible for trying to bring this to a successful conclusion, rather than somebody who wants to go off and try to make a political issue out of it.

Mr. Roy: It's the word around.

Hon. Mr. Bennett: As far as the retention of funds is concerned, Mr. Speaker, the leader of the NDP is well aware of the fact of the legal complications and involvement. The funds will be handled in accordance with the legal position of this company and its charter.

Mr. Speaker: Did the hon. member for Huron (Mr. Riddell) have a question? The member for Scarborough West.

ALLEGED AIR POLLUTION FROM METAL COMPANIES

Mr. Lewis: I have one last question of the Minister of the Environment. It is now rather more than the four or five weeks he indicated his study group would be looking into the environmental conditions within and around the Canada Metal plant. Has the minister a report from that group?

Hon. Mr. Auld: The last report I have is really a progress report indicating, as I think was mentioned at the outset, that the legal-medical - technical group indicated they thought they would require some three months to complete all the tests, studies, samples and stuff that are required. I suppose that's about a month ago, so we probably have another two weeks to go.

I just point out to the hon. member that the situation in Texas, which has perhaps some similarity, took them three years to sort out.

Mr. Speaker: The hon. member for Essex Kent.

ALLEGED JURISDICTIONAL DISPUTES OVER PRIVATE SEWAGE SYSTEMS

Mr. R. F. Ruston: Mr. Speaker, I have a question of the Minister of Housing, and it pertains to the availability of building lots in some areas of the province. Since the Ministry of the Environment has certain jurisdictions with regard to private sewage systems and health units have certain jurisdictions, would the Minister of Housing try to get the two of them to work together so that people will be able to build on lots that are existing now? At the present time they fight among themselves, and neither one will make a decision.

Hon. Mr. Welch: Mr. Speaker, I would be very glad to be as helpful as possible.

Mr. Speaker: The hon. member for High Park.

HAZARDOUS PRODUCTS IN HEALTH FOOD STORES

Mr. Shulman: I have a question of the Minister of Health, Mr. Speaker. In view of the warning issued last Tuesday by the FDA that certain products being sold in health food stores contain a dangerously high level of hydrogen cyanide, can the minister through his department take steps to see that these particular products are removed from our health food stores?

Hon. R. T. Potter (Minister of Health): Certainly, Mr. Speaker, we will take steps

to recommend they be removed. As the member knows, it will probably have to be done by the federal authorities.

Mr. Speaker: The hon. member for Welland South.

PORT COLBORNE TUNNEL

Mr. Haggerty: Thank you, Mr. Speaker, I would like to direct a question to the Minister of Transportation and Communications. The minister is well aware of the energy crisis here in Canada, particularly in Ontario. Is he aware that the St. Lawrence Seaway will continue the operations of the Welland Canal which is to remain open for a period up until sometime in January? What steps has the minister taken now in having that tunnel constructed in the city of Port Colborne.

Hon. G. R. Carton (Minister of Transportation and Communications): Mr. Speaker, I will check into that matter and advise the hon. member.

Mr. Speaker: The hon. member for Sandwich-Riverside.

WIND POWER

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Energy about the Atomic Energy Commission's recent hearings in Oswego and Syracuse, NY. Is the minister aware that at the hearings testimony was given, based on a feasibility study in that area, that a wind power system near Lake Ontario could generate as much—

Mr. E. Sargent (Grey-Bruce): Put one right in here. Speak to the Minister of Energy.

Mr. Burr: —electricity as the proposed nuclear power plant; and that it could be ready in four years? Bearing in mind that the minister claims Ontario is short of sunshine, short of cash, and admittedly short of petroleum, is the minister going to claim that Ontario is also short of wind?

Mr. Roy: A bit short on good ideas, too!

Interjections by hon. members.

Mr. J. F. Foulds (Port Arthur): Certainly not this minister.

Hon. Mr. McKeough: Mr. Speaker, in reply to the first part of the question, no, I am not aware of what went on in Oswego last week.

An hon. member: Where was the minister?

Hon. Mr. McKeough: In reply to the second part of the question, I have never claimed that we are short of wind. I think our great problem is harnessing it.

Mr. Burr: Mr. Speaker, I wonder if the minister is sending an observer to the hearings in Oswego, which are continuing next week.

Interjection by an hon. member.

Hon. Mr. McKeough: Well, we'll certainly follow them with great interest, Mr. Speaker.

Mr. Bullbrook: It's sickening.

Mr. Speaker: The hon. member for Ottawa East.

TRAINING OF PROTECTIVE SERVICES STAFF

Mr. Roy: Mr. Speaker, I have a question of the Minister of Government Services. He is the minister in charge of the protective staff around here, isn't he?

An hon. member: What staff?

Mr. Roy: The protective staff.

Mr. Bullbrook: Security.

Mr. Roy: Security staff?

Mr. Bullbrook: That's the Solicitor General.

Mr. Roy: Well, I would like to ask the Solicitor General, Mr. Speaker, if he might advise the House if, prior to taking over protective service duties in this building, the staff were given any training or education about the facilities relating to this building.

Mr. Foulds: The same as the member received.

Mr. Roy: If they were, how does he account for the fact that, when the public galleries were packed with people yesterday and a fire alarm rang, all the exit doors to the galleries remained locked—

Mr. P. D. Lawlor (Lakeshore): So they couldn't get out of here!

Mr. Roy: —and the protective staff were going around asking each other what the bell was for and what it was all about?

Hon. Mr. Kerr: We knew there wasn't a fire.

Hon. Mr. Davis: There was no fire.

Interjections by hon. members.

Hon. Mr. Davis: We thought the member for Ottawa East rang the bell.

An hon. member: Maybe he rang the bell.

Mr. Stokes: They thought it was Santa Claus.

Mr. Bullbrook: When are they going to turn it off?

Hon. J. Yaremko (Solicitor General): Mr. Speaker, the protective services staff did undergo a period of training in relation to their duties. I do not know all of the details; I am in no position to verify that what the hon. member has stated are facts. I won't accept them as such.

I do make this statement, that the protective service rendered last evening by members of the OPP and the protective services staff was very commendable.

Mr. Roy: Well, would the Solicitor General undertake to look into the question and advise them what the fire alarm bells are about; and, secondly, to provide exits not only for the public galleries but also for members of the press gallery who were locked in when the bells were ringing?

An hon. member: No, leave them up there.

Mr. R. M. Johnston (St. Catharines): The member seems to know where they are. Who rang them?

Mr. Roy: We don't have anything against them.

Hon. Mr. Yaremko: Mr. Speaker, just to verify how little the hon. member knows about the facts, I noticed myself that the one door that was kept open was the press gallery door.

Mr. Roy: That leads to the minister's office though.

Hon. Mr. Yaremko: The hon. member should find out the facts before he talks about them.

Mr. Lewis: Well, why was that the only door that was kept open?

Interjections by hon. members.

Hon. Mr. Yaremko: They need to report what was going on here.

An hon. member. Fireman, fireman, save my child!

An hon. member: Now, hear this!

An hon. member: Here, anything goes.

Interjections by hon. members.

Mr. Speaker: The hon. member for Cochrane South.

REPLACEMENT OF COCHRANE DISTRICT JUDGE

Mr. W. Ferrier (Cochrane South): I'd like to ask a question of the Attorney General.

Is the Attorney General aware that when the second judge for the district of Cochrane was transferred to Ottawa, his replacement was a judge who now lives in Ottawa? If he is aware of this, will he do what he possibly can to have a second resident district judge for the district of Cochrane located in the city of Timmins?

Mr. Roy: He'll do a very good job.

Hon. D. A. Bales (Attorney General): Mr. Speaker, that's a federal appointment; the caseload is not such as would warrant two judges; this House dealt with the legislation on that matter two weeks ago.

Mr. Ferrier: A supplementary: Would the Attorney General intervene with the federal authorities to have this matter reviewed, to see that this situation, which I hope has been brought to the minister's attention, by the Cochrane Law Association, will be fully investigated, and the minister do what he can to help?

Hon. Mr. Bales: Mr. Speaker, the decision will not be reversed.

Mr. Speaker: The hon. member for Windsor-Walkerville.

USE OF SAFETY BELTS IN MTC VEHICLES

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Transportation and Communications.

In light of the fact that it is official policy of the ministry to require employees to use seatbelts and shoulder harnesses, when available in vehicles of his ministry: Is this a pilot project? Is this effective? Does the minister plan on introducing legislation which would make the use of seatbelts mandatory?

Hon. Mr. Carton: Mr. Speaker, we are always trying means and methods of encouraging people to use seatbelts. To answer the hon. member's question about the mandatory use of seatbelts, there is no such legislation planned.

Mr. Speaker: The hon. member for Nickel Belt.

COST OF FUEL OIL FOR SCHOOL BOARDS

Mr. F. Laughren (Nickel Belt): Mr. Speaker, a question of the Minister of Education: Is the minister aware that at least one major oil company, namely Imperial, has demanded a 41 per cent increase in the price of fuel oil from at least one school board, namely the Chapleau school board? And that it has refused to guarantee supply at that price or indeed supply at any price despite assurances from the Minister of Energy that there is to be no fuel oil shortage in the Province this winter?

Mr. Roy: Legislate them out of existence.

Hon. Mr. Wells: I will be glad to look into that, Mr. Speaker. I am not aware of it, but I am happy to have the member tell us about it.

Mr. Laughren: A supplementary, Mr. Speaker: Would the minister not agree to allow school boards which are faced with such a problem to pierce the ceilings he has imposed on expenditures, since the increase for the Chapleau board, a fairly small board, represents virtually the salary of a full-time teacher? Would he further ask his colleague, the Minister of Consumer and Commercial Relations (Mr. Clement), to conduct an investigation to see whether or not Imperial Oil is exploiting the so-called energy crisis in this province?

Hon. Mr. Wells: I could not tell the hon. member what I would do, Mr. Speaker, until I find out what the facts of the situation are, and have a complete report on it.

Mr. Speaker: The hon. member for St. George is next.

REPRESENTATION OF CHILDREN BEFORE COURTS

Mrs. Campbell: Thank you, Mr. Speaker. My question is of the Attorney General: Would the Attorney General advise this House as to what he proposes to do, by way of legislation, to ensure that children whose rights are before the courts shall be represented; or at least have their story heard by those hearing any application before any of the courts of this province?

Hon. Mr. Bales: Mr. Speaker, this matter has been discussed by the hon. member in my estimates and more recently. What she is really proposing is that there be a duty officer or a Crown attorney available—at least a solicitor available—on behalf of the children, so that they would be separately represented. We have given some consideration to this matter and will give further consideration to it.

Mrs. Campbell: Mr. Speaker, if I may clarify it, it isn't just a matter of having representation. What I am asking was that the child have the right to be heard, if in fact, the child is old enough to be able to assist a judge in arriving at his adjudication.

Mr. Speaker: Any further response? If not, the hon. member for Port Arthur.

BAN ON STUDDED TIRES

Mr. Foulds: Thank you, Mr. Speaker. A question of the Minister of Transportation and Communications: Why is the Province of Ontario the only province in Canada which refuses to allow its drivers to use studded tires?

Hon. Mr. Carton: Because we believe that is the best policy.

Mr. Foulds: Mr. Speaker, as the climatic conditions in southern Ontario are no different from the climatic conditions of the lower mainland of British Columbia, and as the climatic conditions in northern Ontario require the use of studded tires; why is it not possible for the minister to allow the residents of northern Ontario at least to use studded tires when they register their licences this spring?

Hon. Mr. Carton: Mr. Speaker, this has been debated several times during my estimates and over the past number of years. I do not have the compilation of accident reports in my memory so that I can relate them to him. I will forward the statistics to the hon. member. The fact of the matter is that since we banned studded tires there has been a decrease in accidents, including in northern Ontario.

Mr. Foulds: How many people are driving?

Hon. Mr. Carton: From time to time I have asked police chiefs, mayors, whatever in northern Ontario, that if they had any information to the contrary to please write to my ministry. I think I am correct in stating I have had perhaps one letter on the question of studded tires in the past several months or in the past year.

I may add, by way of further explanation, that if one would go to the Province of Quebec now and travel its highways, one would see the results of not having the ban on studded tires. When one travels on Quebec highways one can see the damage that has been done; in fact it creates more of a hazard.

Mr. Foulds: Are all the highways like the highways in the riding of my friend from Thunder Bay, the 49 miles of broken road?

Mr. Speaker: The hon. member for Ottawa East.

PAYMENTS TO JURORS

Mr. Roy: Mr. Speaker, if I may ask a question of the Attorney General: In light of the fact that he is considering a full review of the administration of justice in this province, does he not think it's time he changed the amount of fees being paid to people who do jury duty and fees to witnesses as well? How can he possibly justify, in 1973, paying a person on jury duty $10 a day?

Mr. Deans: He doesn't want them reduced, I don't think. I think he wants them increased.

Hon. Mr. Bales: Mr. Speaker, the member and I discussed this matter in the course of my estimates and I told him at that time I felt it would be advisable to raise the fee. We have to take into account the problems and the financial matters in this province. It's also a case that those who serve on juries are recognizing part of their public responsibility—not he and I, because we both happen to be members of the legal profession.

Mr. Roy: Yes, but the minister wouldn't do jury duty and not want to be paid for it.

Hon. Mr. Bales: Other people do contribute work and effort in that way. We will raise them in due course, but there are other matters that also must be considered.

Mr. Roy: A supplementary: Has the minister estimated in his budget how much it would cost the province to raise the fees paid to people on jury duty from $10, for instance, to $20 a day? Has he estimated that? Surely he would get the support of the whole House right away if he was to change that.

Hon. Mr. Bales: We've estimated it, but I don't have a figure on it.

Mr. Speaker: The hon. member for Thunder Bay.

IRON ORE, SAWMILL PROPOSALS FOR LAKE ST. JOE, ARMSTRONG

Mr. Stokes: Yes, thank you, Mr. Speaker. I have a question of the Minister of Natural Resources. How close is the minister to making an announcement that the development of the iron ore deposits at Lake St. Joe will go forward; and the sawmill proposal for the community of Armstrong?

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, I have to say that we're still in some very in-depth discussions with Steep Rock Iron Mines Ltd. I think it's fair to say that they have not completed the financing of this particular project. We are looking at some of their requests, and I'm afraid it will be a short period before we will be able to make any firm announcement.

With regard to the sawmill at Thunder Bay—

Mr. Stokes: Armstrong.

Hon. Mr. Bernier: At Armstrong, I'm sorry. This particular licensed area has always been granted to Domtar, I believe it is, from Red Rock.

Mr. Stokes: Yes, 30 years ago.

Hon. Mr. Bernier: We're in discussions with them. There may be a species that will not be used by this particular firm which we could allocate to someone else who would be really interested; and I understand there are three or four who are. But these discussions are ongoing ones; hopefully we'll come to a solution soon.

Mr. Speaker: The hon. member for Essex-Kent.

SCHOOL BUS COLOURS

Mr. Ruston: Mr. Speaker, I have a question of the Minister of Transportation and

Communications with regard to school buses. Has the minister given consideration to passing legislation not allowing any other buses to use the standard yellow that school buses now have?

Mr. Roy: Good question.

Hon. Mr. Carton: Mr. Speaker, I raised that point myself this week. I read the tragic story of the youngster, aged five. Like all matters, it's not an easy one, because for example the same school buses that are painted yellow are in many cases used for charter trips. That's one factor that is a concern. I may say to the hon. member, yes, I think it's well worth looking at and a good suggestion, if it can be practically followed through.

Mr. D. A. Paterson (Essex South): A supplementary, Mr. Speaker: Would the minister consider that when these school buses are classified as used vehicles they must be painted a different colour immediately?

Mr. Roy: Paint them Conservative blue.

Hon. Mr. Carton: That's one factor we will also look at, Mr. Speaker, at the same time.

Mr. Speaker: The hon. member for Sandwich-Riverside.

AIR POLLUTION CONTROLS ON FOREIGN MOTOR CARS

Mr. Burr: Mr. Speaker, I have a question of the Minister of Industry and Tourism. In view of the report that foreign motor cars, such as Honda and Mercedes, can meet North American 1976 air pollution control standards now without expensive control equipment and with better fuel mileage performance, what is the minister doing to persuade our auto manufacturers to improve their technology and thereby reduce pollution, save gas and save jobs for auto workers in Ontario?

Mr. Roy: The first thing the minister could do is trade in his Imperial.

Hon. Mr. Bennett: I enjoy driving that one, I would say to the member for Ottawa East, and I don't intend to reduce it. I'm like the Prime Minister of Canada, I drive it and I enjoy driving it and I am going to continue to drive it.

As far as the Honda manufacturers are concerned, I am not aware of all of the—

Mr. Lewis: Does the minister mean he is like the Prime Minister of Canada? Boy, does he have delusions of grandeur!

Hon. Mr. Bennett: I beg the member's pardon?

Mr. Foulds: I am like the Prime Minister of Canada!

Mr. Lewis: Give a man a vest and he is uncontrollable.

Hon. Mr. Bennett: Give some fellows the leadership of a party and they become the same, sir.

In connection with the article the member refers to, I can only relate the fact that our people, and particularly the federal people, have been working along with the major motor manufacturers to try to implement the exhaust emission control on the cars as quickly as possible. I have no further answer to that, sir, and I am not aware of the particular article the member spoke of.

Mr. Speaker: The time for oral questions has expired.

PETITION

Mr. Lewis: Mr. Speaker, I would like to present a petition duly tendered from the Ontario Secondary School Teachers' Federation to the Lieutenant Governor and legislative assembly.

Honourable sir and members of the Legislature:

We, the undersigned, do hereby present our humble petition to the assembly on behalf of the members of the Ontario Secondary School Teachers' Federation for the redress of a grievance by this honourable House.

To wit: The consideration of Bill 274 without adequate consultation with the affected parties.

We humbly request such action by the House as follows:

That the legislative assembly refer Bill 274 to the social development committee or any of the other committees of the Legislature in order that we may have an opportunity to appear and be heard.

It is signed for the total Ontario Secondary School Teachers' Federation by Douglas Dinsmore, the president, and L. Morris Richardson, the general secretary.

I table it in the House, Mr. Speaker, on their behalf and I say, sir, apart from the obvious motives and intent of the petition, which are clear, that since the laws of natural justice have been denied by the statute and since there may be legal proceedings, it is necessary to place this kind of petition before the House. I beseech the Minister of Education to consider it and to respond to it because a standing committee makes enormous sense in this instance.

Mr. Speaker: Are there any further petitions?

Presenting reports.

Motions.

Introduction of bills.

ANIMALS FOR RESEARCH ACT

Mr. Burr moves first reading of bill intituled, An Act to amend the Animals for Research Act.

Motion agreed to; first reading of the bill.

Mr. Burr: Mr. Speaker, out of 992,000 animals used in Ontario's research facilities in 1972, only 179 came from humane societies. It is clear that humane societies' animals are not essential to the supply of animals for research, therefore, there is no reason to leave on the books this legislation which is so offensive to so many supporters of humane societies throughout Ontario.

RIGHTS OF STUDENTS ACT

Mr. Foulds moves first reading of bill intituled, An Act respecting the Rights of Students.

Motion agreed to; first reading of the bill.

Hon. Mr. Kerr: How come the members are waiting until the last to introduce all this legislation? They have had months to do this.

Mr. Deans: We are going to deal with it before we adjourn, too.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): What session?

Mr. Foulds: Mr. Speaker, this bill was introduced in the hope that it will generate public examination. We will allow it to die on the order paper and reintroduce it in the winter session.

Interjections by hon. members.

Mr. Foulds: We will reintroduce it in the winter session, along with more all-embracing legislation, including a parents' bill of rights and a teachers' bill of rights.

Mr. Lewis: These are telegrams from teachers' groups, including one from Chatham High School.

Mr. Speaker: Orders of the day.

Clerk of the House: The 21st order, House in committee of the whole.

EMPLOYMENT STANDARDS ACT
(*concluded*)

House in committee on Bill 268, An Act to amend the Employment Standards Act.

Mr. Chairman: When we rose at 12:30 we had completed the study of Bills 268 and 269 and we had certain amendments to deal with, which we will do now.

Call in the members.

Order, please. We had dealt with two bills before we rose at 12:30. On the first bill there were some six amendments placed variously by Mr. Bounsall, Mr. Reid and Mr. Paterson. There has been some indication of agreement that the various proposals be placed together. Is that agreeable?

The committee divided on the six amendments which were negatived on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 26, the "nays" are 54.

Mr. Chairman: I declare the motions lost. Shall the bill be reported?

Bill 268 reported.

WORKMEN'S COMPENSATION ACT
(*concluded*)

House in committee on Bill 269, An Act to amend the Workmen's Compensation Act.

Mr. Chairman: On Bill 269 we had three amendments placed by Mr. Bounsall.

The committee divided on the three amendments, which were negatived on the same vote.

Mr. Chairman: I declare the motions lost. Shall the bill, as amended, be reported?

Bill 269, as amended, reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports one bill without amendment and one bill with certain amendments and asks for leave to sit again.

Report agreed to.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 191, An Act to amend the Income Tax Act.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Just give me your indulgence for a moment, Mr. Speaker. There has been a horrendous error made on the record, which I wish to correct on third reading. The sentence at page 2557-1 of Hansard says, when I was speaking, "The government is always spreading its credits wisely so that even families in the top five per cent of income earned will receive credits this year." That is not what was said.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): That's right.

Mr. Lawlor: The word "wisely" was the wrong word. The word was "widely."

Hon. A. Grossman (Minister of Revenue): That was that night.

Mr. J. R. Rhodes (Sault Ste. Marie): Hansard knew what the member meant.

THIRD READINGS
(*continued*)

Bill 226, An Act to amend the Regional Municipality of Haldimand-Norfolk Act, 1973.

Bill 227, An Act to amend the Regional Municipality of York Act.

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): We oppose this bill because it is another unnecessary removal of local autonomy, where problems like severance have been well carried out.

Interjections by hon. members.

Mr. Deacon: It's about time those guys realized that when a job is being done well by the local people it should be left with them.

THIRD READINGS
(*concluded*)

Bill 227, An Act to amend the Regional Municipailty of York Act.

Bill 239, An Act to amend the Regional Municipality of Niagara Act.

Bill 243, An Act to amend the Ontario Municipal Employees' Retirement System Act.

Bill 244, An Act to amend the Regional Municipal Grants Act.

Bill 245, An Act to amend the Regional Municipality of Peel Act, 1973.

Bill 247, An Act to amend the Regional Municipality of Halton Act, 1973.

Bill 253, An Act to amend the Regional Municipality of Hamilton-Wentworth Act, 1973.

Bill 258, An Act to amend the Gift Tax Act.

Bill 259, An Act to amend the Public Commercial Vehicles Act.

Bill 260, An Act to amend the Highway Traffic Act.

Bill 265, An Act to amend the Ministry of Treasury, Economics and Intergovernmental Affairs Act, 1972.

Bill 266, An Act to amend the Municipal Unconditional Grants Act.

Bill 267, An Act to amend the Municipality of Metropolitan Toronto Act.

Bill 270, An Act to amend the Game and Fish Act.

Bill 272, An Act to amend the Municipal Act.

Bill 273, An Act to amend the Regional Municipality of Durham Act, 1973.

MINISTRY OF EDUCATION ACT

Hon. Mr. Wells moves second reading of Bill 274, An Act to amend the Ministry of Education Act.

Mr. J. E. Bullbrook (Sarnia): Does that mean you are happy to introduce that bill?

Mr. Speaker: The hon. Leader of the Opposition (Mr. R. F. Nixon).

Hon. T. L. Wells (Minister of Education): Mr. Speaker, could I be permitted to make some comments first, before the—

Mr. Speaker: Yes, that would be quite in order.

Hon. Mr. Wells: Well, Mr. Speaker—

Mr. J. R. Rhodes (Sault Ste. Marie): And the Liberals might change their mind again.

Mr. S. Lewis (Scarborough West): Well they might, because the government took out the key words that the Liberals are opposed to.

Hon. Mr. Wells: My friend across the aisle, Mr. Speaker, said am I happy to introduce this? I wouldn't say that I am happy to introduce this bill.

Mr. Bullbrook: I asked if they were happy. They applauded the minister.

Hon. Mr. Wells: I am certainly not pleased to have to stand in this House today and introduce a bill of this nature. But I say that I am here doing it because I feel I have to do it, considering the oath that I have taken as a minister of this government and the duties that I have to the people of this province. I say that I feel that it must be done because of the basic principle that I feel is inherent in this bill.

Mr. J. E. Stokes (Thunder Bay): Did the minister consider the Bill of Rights?

Hon. Mr. Wells: There is an overriding principle in this bill, and that overriding principle was contained in my statement when I introduced this bill the other day, Mr. Speaker; I stressed that its basic principle is that the welfare of the children must be taken into consideration first and foremost—

Mr. I. Deans (Wentworth): That is not in the bill.

Hon. Mr. Wells: —and that we in this government cannot allow pupils to be used as pawns in negotiations between teachers and school trustees around a bargaining table.

Mr. Deans: That is not the principle of the bill.

Hon. Mr. Wells: I further said that I was not saying that education is or should be universally considered an essential public service in the same sense that we would say other public services are essential public services in that they affect the daily health and well-being of our citizens.

What I feel is morally wrong, Mr. Speaker, is to allow our young people to be victimized in labour-management disputes between school boards and their teachers. I think we must realize that the school system is there for the children—

Mr. J. F. Foulds (Port Arthur): The minister's ceilings victimized them. That doesn't bother him?

Hon. Mr. Wells: We must realize, Mr. Speaker, that the school system is there for the children, that the teachers in our system are really different from others who work in the public sector of our economy—

Mr. Deans: They make less.

Hon. Mr. Wells: —that the interests of the students have to come before those of the teachers and those of the school boards and that, as Minister of Education and representing the public in this Legislature, I must speak up for that interest.

Therefore, Mr. Speaker, we bring forward this bill. We bring it forward at this time in concert with a piece of legislation that has been worked on for a considerable length of time, what we are calling the major teacher-school board salary negotiation bill, which has within it the principle that after certain steps are followed, teacher-school board disputes should be settled by binding arbitration.

Having stated that as one of the principles —and certainly believing in it personally as one of my principles and, Mr. Speaker, as the Premier said a few minutes earlier, as one of the principles that he espouses and this government espouses—we find no alternative but to bring in this bill to make sure that those of our schools where there are disputes stay open this January. Therefore, this bill is here, Mr. Speaker.

As I say, while the basic principle is certainly the rights of the students, the consideration of the students in those schools, this bill does certain things to bring about and protect those rights. I now have prepared some amendments which I have given to both opposition parties; I am sorry they didn't have a little longer to see them, but we now have them and I am assured they will be available as revised, printed bills by 8'clock tonight for

all to study. We have here, in order to accomplish the principle that we wish to accomplish, a situation where we are not invalidating resignations but we are going to vary the contracts so that the date of effectiveness of anyone who resigned after September, 1973, in the 16 specific boards affected—and they will be named in the amendments I am proposing in this legislation—that those contracts will be varied so that the effective date of the resignation becomes Aug. 31, 1974. Then teachers—and I am reading from the amendments, Mr. Speaker:

> Teachers who have submitted such resignations shall continue their duties with the board in accordance with their contracts of employment, and where on Dec. 31, 1973, an agreement has not been reached between the board and its teachers [and here, Mr. Speaker, there are some further changes] the board and the affiliate or affiliates of the Ontario Teachers' Federation, of which the teachers are members, shall forthwith submit the matters remaining in dispute.

Both parties will submit what they feel are the matters remaining in dispute for final and binding arbitration.

We further provide in the new section, Mr. Speaker, entitled subsection 24 of section 1, that—and I will read this:

> A resignation referred to in subsection (2) [which is the main section of which I just read the amended version] may be withdrawn by notice in writing to the secretary of the board at any time prior to the expiry of a period of 30 days after the date of the award made under this section, and no such resignation shall be accepted by a board before the end of such period.

This, in effect, means that those who have handed in their resignations may, up until 30 days after the board of arbitration brings down its award in writing, ask for their resignations back. If they do not do so, their resignations are effective August 31, 1974.

As for the further amendments, Mr. Speaker, there are some housekeeping amendments, changing language and so forth. Subsection (9) has been amended to make very clear the duties of the board of arbitration, that they shall examine into and decide all matters that are in dispute between the board and its teachers in order to make an award. The penalty section has been changed to make it conform with what, I am told, are normal penalty sections in various pieces of legislation.

It has been changed to read:

> Every person who contravenes and every member of the board who assents to a contravention of any provision of this section is guilty of an offence and on summary conviction is liable to a fine of not more than $500 for each day upon which such contravention occurs or continues.

This is to make it conform with other legislation where similar penalty clauses are used, Mr. Speaker.

I think that outlines the amendments that we propose to make, Mr. Speaker, on the committee of the whole House stage of this bill. For the benefit of the members, briefly and quickly, I'd like to review what this bill does and why it is doing this. My friends, who are teachers in this House are aware of the permanent teachers' contract which every teacher in this province signs and of the probationary teacher's contract. In this contract there is a provision for teachers to resign on Dec. 31 and August 31.

These dates were put in there, as my friends who are teachers know but the others of us perhaps do not, because teachers are different from other employees in a lot of situations. If they were to resign with the normal two or four weeks notice they would leave the classroom empty and unattended and the board would have difficulty in planning its programme.

These sections were put in many years ago in order to provide for an orderly resignation period for teachers so that a board would be given four weeks notice before either of these resignation dates and the teachers could then resign without mutual consent, although the contract does allow for a teacher at any time to withdraw with mutual consent, that is of both the board and him or her. These were put in, as I say, in order to provide an avenue for teachers to withdraw their services individually in an orderly process that would not disrupt the schools.

In going back in the papers that I had in my ministry, I came across a letter which was written by the Ontario School Trustees' Council recently to the Ontario Teachers' Federation. I want to read parts of it today, Mr. Speaker, because I want to illustrate that it was never the intention when this section was put in there, and indeed it was not the intention for many years of the teachers of this province or the trustees of this province that this would ever be used as a mass resignation, pseudo-strike technique.

Mr. Deans: Well the minister drove them to that.

Hon. Mr. Wells: This is a letter from Peter F. Bargen to Dr. Nora Hodgins, dated Oct. 3, 1973, and it says:

> The Globe and Mail this morning reported that Mr. Forrester acknowledged that the OSSTF is making plans for demonstrations in early November, rotating strikes to close schools temporarily next month, and perhaps mass resignations at the end of November. Yesterday a Globe and Mail article reported that the members of OECTA are also told that they be prepared for mass resignations. Regardless of the merits or otherwise taken by the teachers' federation, the trustees of this province are vitally concerned by any disruption to the education of children. Of particular concern is the threat of mass resignations.
>
> It is a matter of record that in 1952 when basic regulations to be included in the teachers' probationary and permanent contracts were being finalized, the Ontario School Trustees Council opposed the inclusion in the contracts of a regulation permitting the resignation of teachers at the end of December of any year. The Ontario School Trustees Council removed its opposition only when the Ontario Teachers' Federation unanimously agreed that if the Ontario School Trustees Council would drop its attempt to remove the right of teachers to resign at Dec. 31 of any year, the Ontario Teachers' Federation would agree to discourage mass resignations.

The following minutes appear in the records of the June 5, 1954, meeting of the Ontario School Trustees Council—

Mr. Foulds: Twenty years ago. The minister just happened to come across it in his—

Hon. Mr. Wells: To continue:

> A letter was presented from the Ontario Teachers' Federation stating that the federation has unanimously agreed to discourage mass resignations at Dec. 31 in any year. This letter was the result of the agreement whereby council agreed to have the clause allowing teachers to resign on the 31st left in the contract form on the understanding that the Ontario Teachers' Federation would agree to discourage mass resignations in December.
>
> The letter was ordered filed. It said:
>
> "The Ontario School Trustees Council in 1954 agreed to the Dec. 31 resignation date in good faith and in the complete confidence that the Ontario Teachers' Federation would honour its commitment. But, in view of the above-noted developments the trustees council now respectfully requests a reassurance from the Ontario Teachers' Federation on this matter and wishes to ask whether a commitment made in 1954 will continue to be honoured, and what the Ontario Secondary School Teachers' Federation is doing in the present situation to discourage mass resignations as per the 1954 commitment."

Now I would like also, Mr. Speaker, to read the reply to Dr. Bargen from Dr. Nora Hodgins.

> Dear Dr. Bargen:
>
> Your letter of Oct. 3, 1973 was discussed at the October meeting of the Ontario Teachers' Federation executive. The executive asked me to reply to you pointing out that the board of governors voted to remove its opposition to mass resignations at Dec. 31 at its annual meeting in 1972.
>
> The board of governors did this because it felt that the bargaining position of teachers had changed considerably since 1954, and that in the present situation resignations at Christmas are within the terms of the teacher's contract and must be regarded as a reasonable alternative to the right to strike, which teachers do not have at the present time.
>
> The board of governors accepted this policy motion in 1954 in good faith. It feels now, however, that the bargaining situation between school boards and teachers has changed and that a new look had to be taken at some of the positions we took in earlier years. I am sorry that I did not write you at the time that the policy motion was rescinded.

Now, I read those letters, Mr. Speaker, to indicate that these are not resignations in the normally accepted sense of the word. It bothers me, as I know it bothers many of the members of this House, that some of the members of the public feel that we are taking away a right, which I say is every person's right, to resign from their job. We are not doing that.

Mrs. M. Campbell (St. George): And the minister has.

Hon. Mr. Wells: We are not doing that. Anybody who legitimately wishes to resign for reasons of health, for reasons of moving, for reasons of bringing up a family—

Mr. Foulds: For reasons of frustration?

Hon. Mr. Wells: —will be doing so on Dec. 31 under this particular legislation. What we are dealing with here, Mr. Speaker, is a special situation, a situation which, as Dr. Nora Hodgins says in her letter, is "a reasonable alternative to the right to strike." Or as Doug Knotts, provincial chief negotiator of the Ontario English Catholic Teachers Association said in a Globe and Mail story of Dec. 1; he termed the mass resignation strike in all but name.

Mr. Foulds: For reasons of frustration?

Hon. Mr. Wells: What we are really dealing with here, Mr. Speaker, is a strike. What this legislation is doing is reaffirming our principle, that we do not feel that teachers should strike. We think that binding arbitration is the way to settle this particular matter.

Through the legal terms in this bill, we are not violating anyone's individual right to resign. We're taking a special situation, being used here under the guise of mass resignations but which is, in reality, a strike, and we're saying it shall not take place but that binding arbitration shall take place instead.

I just want to re-emphasize and tell the House this, I've checked with the areas where these disputes are happening. While I haven't had a chance to check with all of them, I can tell the hon. members that from what I was able to find out, the directors of education in these areas have, in many cases, received the individual resignations of those who wish to leave their jobs on Dec. 31. They were forwarded in another manner from the mass resignations; they were forwarded to the directors and they have told us they can isolate them. They amount to somewhere between eight and ten in each of the various areas. I'm told they can sort these out. I want to make it abundantly clear that these people are not being locked into any jobs under this situation.

I also want to tell the members of the House, and to emphasize it exactly, that what we're talking about here is, as I have said, something different from interfering with an individual's right to resign.

Mr. D. C. MacDonald (York South): Events may confirm that this is legal quibbling.

Hon. Mr. Wells: My friend says it is legal quibbling. It is not legal quibbling.

Mr. MacDonald: The minister may find that events will confirm it is.

Hon. Mr. Wells: We have here the instructions given by the OSSTF to members of one of its districts who were to resign. They were asked to resign in a certain way. The resignations were to be forwarded to the staff representative in the school. They were to be placed in certain groups of envelopes; two sets of envelopes. They weren't to be handled in the normal way resignations are handled.

Mr. R. F. Nixon (Leader of the Opposition): What's so insidious about that?

Hon. Mr. Wells: Nothing's insidious. I'm not criticizing this. I'm not saying it's insidious. All I am saying is—

Mr. Lewis: The minister is saying they are identifiable.

Mr. R. F. Nixon: He is making a very flimsy case.

Interjections by hon. members.

Hon. Mr. Wells: We're talking about, in actual fact, a strike.

Mr. A. J. Roy (Ottawa East): Why doesn't the minister call it a strike in the bill?

Hon. Mr. Wells: We are doing it in the most legal way that we can do it.

Mr. Roy: There is no way of striking in a legal way.

Hon. Mr. Wells: If my friend—all right, that's fine. We're dealing with this in the legal way, so we can prevent the strike, keep the schools open and bring about binding arbitration.

Mr. Lewis: That's understood. That was understood on first reading.

Mr. Deans: We knew that before.

Hon. Mr. Wells: This particular letter says that if the percentage of resignations is sufficiently high, the resignations will be submitted to the director of education, in the case of York county, on or before Nov. 30 unless the dispute is resolved prior to that date.

That's exactly what this bill says: "If the resignations are being used in concert as part of a bargaining technique." That's the legal way we have to approach this situation which, as I say, in fact, is a strike.

I would also like to remind the hon. members of the House of something I discussed with some of the teachers we met yesterday in front of the Legislature. If these were

legitimate resignations, these people would be willing to resign, leave on Jan. 1 and have someone else take their positions.

I asked the people here and I've asked the people who put in their resignations, and that certainly is not their intent. Those jobs are not vacant; those jobs are still up for negotiations and we all accept that.

In fact, I have here a pink letter of the Ontario Secondary School Teachers' Federation which refers to five areas—Essex county, Frontenac, Perth, Prescott-Russell and York county—and it says,

> Until further notice, any member of the federation who accepts a position with the Essex county board, the Frontenac county Board of Education, the Perth county, the Prescott and Russell board and the York county Board of Education, will not receive any support from the federation in salary negotiations and related matters of any kind in any professional difficulty in which the member may find himself or herself while teaching with that board.

In other words, those jobs are not open for someone to fill. Anybody who tries to—

Mr. R. F. Nixon: They are as far as the school board is concerned.

Hon. Mr. Wells: They may be as far as the school board is concerned, but as far as those teachers are concerned and as far as their federations are concerned, they are not open for filling. Indeed, anybody who fills them, in the common vernacular would be blackballed, and that's what this particular letter says.

Mr. R. F. Nixon: Pink listing.

Hon. Mr. Wells: The pink-listing letter.

I might just tell the hon. members that it is very easy from time to time to say: "Oh, let the school board advertise and fill those jobs." I was asked that by one of the boards last year. We went through this in three situations last year, and I might say that is one of the reasons why I feel we have to act this year. I personally had to see exactly what happened.

Mr. Foulds: The minister didn't feel that way last Thursday.

Hon. Mr. Wells: I became personally involved in all of those situations last year.

Mr. W. Ferrier (Cochrane South): Why isn't the minister this year?

Mr. R. F. Nixon: They were resolved.

Hon. Mr. Wells: I saw what happened, and I saw they were resolved by binding arbitration in one case—the one that existed the longest. In my own mind I just can't see why we have to go through all this turmoil and trouble when we know in the end they will be resolved this way.

Mr. Roy: It's negotiation.

Hon. Mr. Wells: These boards have all been negotiating for six, seven, eight and nine months—

Mr. Roy: Right. Okay.

Mr. R. F. Nixon: That's the way the community works.

Hon. Mr. Wells: —and they can still negotiate; and in fact they are still negotiating. This legislation doesn't take effect until Dec. 31.

Mr. Lewis: It doesn't mean anything now, though.

Hon. Mr. Wells: My friend says they won't negotiate.

Interjections by hon. members.

Hon. Mr. Wells: My friend says they won't negotiate, I want to tell him that the Perth board in the dispute with its secondary school teachers asked us today for a mediator, and Mr. McGuire of the Ministry of Labour will be going in there very early next week to mediate in that particular situation. The negotiations are going on and they can still be settled. I tell the hon. members of this House it is my hope that they will be settled before this has to happen. This will solve everyone's problem. They will be settled, and if that's the way it is, I think that would be excellent.

But I just wanted to remind the members, in the ones that occurred last year, I was asked by boards if they could advertise and start hiring teachers, and I counselled them against it. I recognized that would cause nothing but havoc and turmoil. I recognized at that particular time that these were not resignations in the true sense of the word but withdrawals of services as part of a collective bargaining process. I recognized that in order to bring any of these disputes to an amicable understanding and end, one of the conditions of an agreement was going to be that everyone who had resigned was back in his classroom. Certainly that is one of the conditions, and it was one of the conditions in Windsor.

Mr. Speaker, I think that outlines precisely why I feel I have to bring this legislation into the House at this time.

I might just comment on a couple of statements from our friends across the House. I gathered from the comments the member for Ottawa East has made that he has now changed his mind about this particular situation.

Mr. Roy: No, I asked for a contingency plan.

Hon. Mr. Wells: I was very interested in it.

Interjections by hon. members.

Hon. G. A. Kerr (Provincial Secretary for Justice): What is the difference between a contingency plan and this bill?

Interjections by hon members.

Hon. Mr. Wells: I would like to read his question of Tuesday, Dec. 4. He said:

> Mr. Speaker, a supplementary of the minister: In light of the minister's answer to my hon. leader and in light of the fact the situation in Ottawa is very serious—there are 63,000 students affected and some 3,000 teachers—does the minister not feel that the public of Ontario has a right to know what his contingency plans are? What is he going to do? What happens if the schools aren't open? What does he do in a situation, I suggest to the minister,—

Mr. R. F. Nixon: A very legitimate question.

Hon. Mr. Wells: Quoting:

> —where he has sent mediators into Ottawa and it hasn't worked out? Does he now feel that we have a right to know?

Mr. Speaker, I am answering for him here as to what our plans are.

Mr. R. F. Nixon: A legitimate question.

Mr. Roy: The minister is answering with a piece of junk.

Hon. Mr. Wells: I think that is very valid. I also think it is very interesting that our friends over there voted with us on first reading—and quite properly so, I think—

Mr. R. F. Nixon: Until we saw the bill.

Mr. Roy: We wanted to study it first.

Hon. Mr. Wells: —because I think a lot of them over there believe this bill is right. The member for Ottawa East came up to me after and said: "This is what the parents of the children in Ottawa want." Those were his words to me.

Mr. Roy: I asked if the minister was going to remove the ceilings. That's what I said.

Hon. Mr. Wells: He said to me, "this is what the parents—"

Interjections by hon. members.

Hon. A. Grossman (Minister of Revenue): Is that what his party wants?

Mr. Roy: Mr. Speaker, on a point of order. I asked the minister if he was prepared to remove the ceiling. When he answered "No." I said that he was going to have problems and he's got problems now.

Interjections by hon. members.

Hon. Mr. Wells: Mr. Speaker, the member also said to me: "This is what the parents of the children in Ottawa want." That is what he said to me.

Hon. W. D. McKeough (Minister of Energy): The member has no credibility.

Mr. Roy: The minister is not going to believe his colleague, is he?

Mr. Stokes: Why doesn't he quit while he is behind?

Hon. Mr. Wells: The only other comment I'd like to make, Mr. Speaker, in regard to the leader of the New Democratic Party and some of his members, is they asked that we table the major legislation, the draft bill on teacher-school board negotiations which we did. I gather from the comments I heard from them that we should table it, let it lie, let everyone see what our principles are and then come back in January if the situation necessitated such.

Mr. Lewis: If we had to.

Hon. Mr. Wells: I assume by that he meant come back in January and he would be willing to support us in binding arbitration. Either that or else he is going to come back and oppose us on binding arbitration.

Mr. Lewis: That's the ministers problem, not ours; he is the government, not us.

Hon. Mr. Wells: I just say to him—

Mr. Foulds: In January, the government would raise the ceilings.

Mr. Lewis: The minister has no right to assume now that the schools would be closed in January.

Hon. Mr. Wells: I say to my friend that I think that kind of action, which I considered and rejected, would have been totally irresponsible on my part and on the part of this government.

Mr. Lewis: The government didn't want to bring its members back.

Mr. R. F. Nixon: They won't want to come back from Florida.

Mr. Lewis: It was inconvenient for the government to bring its members back from out of town.

Hon. Mr. Wells: My friend, the Leader of the Opposition, may be able to go to Florida but I'm afraid I can't this year, I never do.

Mr. MacDonald: Anyone who creates as much trouble for himself as the minister does doesn't deserve to go to Florida.

Hon. Mr. Wells: As a matter of fact, I am waiting with eager anticipation for his remarks in a few minutes, because I hope he is going to state the Liberal position once and for all on this particular matter.

Mr. R. G. Eaton (Middlesex South): They don't know what it is.

Mr. J. R. Breithaupt (Kitchener): We will, very clearly.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): That will be a very nice change.

Hon. Mr. Wells: It varies from day to day and time to time. We would be very interested in hearing what this position is, particularly in regard to the basic principle of this bill, that the schools should be kept open and that binding arbitration is the way to settle disputes concerning teachers and school boards in our educational system.

Mr. Lewis: The minister struck a mean blow today by taking out the clause.

Mr. Stokes: Almost as inconclusive as the federal Tory policy.

Hon. Mr. Wells: I will be very interested to hear the Leader of the Opposition comment on that particular position.

Hon. Mr. White: He is blushing already.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Watch him wriggle.

Mr. Roy: The minister has to admit he put in a very poor bill.

Hon. Mr. Wells: I want to say to the leader of the New Democratic Party that I think it would have been very irresponsible for me, as a minister, and for this government, to have not presented this bill to the House when it was in session, if we felt that this was one of our abiding principles now.

Indeed, I would say that to present a bill such as we are doing now, after the resignation date would indeed be retroactive legislation whereas at the present time—

Mr. Lewis: Why?

Hon. Mr. Kerr: How would the member opposite get them back? Get a press gang and bring them back to work?

Hon. Mr. Wells: Because the date would have passed and the resignations would have taken effect, whereas this bill in fact is altering the terms of the contract. Retroactive legislation I completely reject—

Mr. Lewis: Well, the minister just changed it again today.

Mr. Roy: It changes every second day.

Hon. Mr. Wells: This is not retroactive legislation.

Mr. Lewis: No.

Mr. Bullbrook: No, it isn't. The minister is quite right.

Mr. Lewis: It was retroactive yesterday.

Interjections by hon. members.

Hon. Mr. Wells: It would be, though—

Mr. Foulds: He flip-flopped that, like the Liberals.

Mr. Bullbrook: Now it changes the contract.

Mr. Lewis: He removed the word "void" in the amendment.

Interjections by hon. members.

Hon. Mr. Wells: To come back in January to act retroactively after a date has passed, I think would be irresponsible.

Mr. Breithaupt: Nobody is going to believe that.

Mr. P. D. Lawlor (Lakeshore): Very inconvenient—not expedient.

Mr. Lewis: It would be very inconvenient for out-of-town members.

Hon. Mr. Wells: Mr. Speaker, I just want to conclude by reading an editorial—

Mr. Roy: Is it favourable?

An hon. member: Always favourable.

Hon. Mr. Wells: —because it sums up, in some degree, my personal feelings, which I feel very strongly—

Mr. Breithaupt: Yesterday or today?

Hon. Mr. Wells: —and it sums up the feelings of this government in regard to this bill. It appeared in a publication that I read with great enthusiasm every time it arrives on my desk. I think it's particularly pertinent since I guess it speaks for a lot of people in the largest segment of school boards affected in these disputes. It's from the Dec. 15 issue of the Catholic Register, which says in its lead editorial—

Mr. Bullbrook: Does the minister know the fellow who writes those? He's about as Tory as the Minister of Agriculture and Food (Mr. Stewart). The deputy minister knows him.

Hon. Mr. Wells: The editorial reads:

IN DEFENCE OF OUR PUPILS

While teachers and trustees with almost a dozen separate school boards in Ontario continue negotiations on wages and working conditions (Register, Nov. 24 and Dec. 8), the parties involved should keep uppermost in mind that the school system does not exist for them.

It exists for the pupils in their care.

Expressions of militancy by both teachers and trustees tend to emphasize the point that the issues are simply between themselves. There are also some indications that hard lines are being drawn and little room is being left for compromise.

It would be extremely unfortunate if both parties refused to budge from their present positions, with the subsequent result that the 4,700 teacher resignations submitted would take effect Dec. 31 as scheduled.

This, of course, refers to those who resigned from the separate school boards.

The biggest loser would be, of course, the pupils.

However, there is still time to settle differences. And the Christmas season is most appropriate for expressions of openness and understanding.

It should be recalled that in the disputes between the Ontario secondary school teachers and their boards, students were frequently the butt throughout the negotiations.

Mr. Stokes: The minister didn't pay any attention to them when they were talking about K to 13.

Hon. Mr. Wells: To continue:

Surely in the Ontario separate school system, the fundamental principle for talks should be—justice for all. Should government mediators be required to help both parties see their proposals in a better perspective, then let them be appointed.

If the threat of resignations becomes a reality at the end of this year, there will be no winners—only losers, and most of all, the pupils.

Mr. Stokes: The minister is very shortsighted.

Hon. Mr. Wells: That, I think, Mr. Speaker, expresses in very fine words, my feeling, the feeling of this government, and one of the basic principles of this piece of legislation. I think, Mr. Speaker, it's reasonable, responsible legislation, taken by a responsible government, and I encourage all members to support it.

Interjections by hon. members.

Mr. R. F. Nixon: Mr. Speaker, I'm sure you're aware that the minister who has just spoken is the prime author of the misfortunes that the teachers find descending upon them now from this bill. They have been forced into the positions they have been taking by the attitudes and the policies of the Ministry of Education—

Mr. J. A. Taylor (Prince Edward-Lennox): Nonsense.

Mr. R. F. Nixon: —under the leadership of this minister, whose resignation has been called for by the teachers and whose resignation we call for in this House.

Hon. Mr. Kerr: Phoney indignation.

Interjections by hon. members.

Mr. R. F. Nixon: The structure that he has erected in his remarks this afternoon in defence of the bill is a tissue of something

close to fabrication, which is in fact a misrepresentation of the positions of the teachers.

Hon. Mr. Wells: Oh, come on.

Interjections by hon. members.

Mr. R. F Nixon: Let me put it to you, Mr. Speaker: we can talk about the right to strike. We can talk about the rights of the teachers and the pupils and the responsibility of the Minister of Education, but what we must insist is preserved are the individual liberties of those people who signed a contract to work and serve individual boards across this province, who find that the terms of those contracts now are altered by the decision of the Legislature, if in fact the bill before us is supported. Let's look at this, Mr. Speaker—

Interjections by hon. members.

Mr. R. F. Nixon: The teachers have only two alternatives when they want to withdraw their services. Whether they do it in single envelopes or double envelopes, whether they do it through their staff representation, or whether they do it in a private little chat with the chairman of the board of education, they have under Ontario law the undoubted—at least undoubted until now—right to withdraw their services, that is, resign their job as of Dec. 31 and August 31 each year.

The provisions of this bill, without consultation, remove that right, but do not declare, by the amendment that has now been put before us a few moments ago, the resignation void. It simply postpones it for eight months. It removes from the right of the individual teacher the opportunity to show by decisive individual action that he is dissatisfied sufficiently with the terms of his employment to withdraw his services under these circumstances and run the risk of losing his job.

It is true, Mr. Speaker, that teachers' professional organizations provide whatever protection they can, whether the minister calls it black-balling or pink-listing or whatever it is. The OSSTF, the OTF, as the governing body of all, the Ontario English Catholic Teachers' Association—all the five organizations concerned—are established for the purpose of protecting their members, the teachers.

They have other aims. They want to further the professional aspects of teaching. They want to do whatever they possibly can as a profession to improve education in general, and that is one of the things they talk about frequently. But primarily their reason for existence is to protect the rights of their individual members. For the first time in history, as far as I know, all five of the teachers' professional organizations are united in direct and strenuous opposition to this usurpation of the rights established in their contracts, and which usurpation we in this House oppose.

I would tell you, Mr. Speaker, that it was just a decade ago, under similar circumstances in many respects, that the Attorney General of the day introduced an amendment to the Police Act, which was probably the only other comparable attempt by any government in this jurisdiction to undermine the individual liberties of citizens of this province.

Interjections by hon. members.

Mr. R. F. Nixon: Let's talk about the thing that causes so much barracking whenever a Liberal gets up to speak on this issue.

Hon. Mr. Wells: Where does the Leader of the Opposition stand on compulsory arbitration?

Mr. R. F. Nixon: Maybe we can't get it all over at once, but I want to talk about it, because it certainly seems to me that I, as leader, did make an error when I did not instruct and consult with my caucus to oppose the bill on first reading.

You are aware, Mr. Speaker, that calling for a vote on first reading is only a political gambit but an effective one. We discussed the bill in the few minutes when the bells were ringing and decided that we had to see its provisions. It is true that the Minister of Education made a statement beforehand saying that it involved compulsory arbitration. My colleagues and I, in discussing this, decided on a matter of this importance involving the very thing that the minister underlines in every one of his statements, the children in the classroom, that we wanted to be sure of the measures that he was bringing in because we, as you know, have supported compulsory arbitration in the past.

Mr. MacDonald: Sure they have.

Mr. R. F. Nixon: We voted for the bill that put the hospital workers in a situation where they could not withdraw their services because we believed their services cannot be dispensed with.

Mr. MacDonald: That is where the Liberals caught themselves.

Hon. Mr. Kerr: Can teachers be dispensed with?

Mr. R. F. Nixon: You are familiar, Mr. Speaker, with the situation earlier this year with the elevator installers, when it was obvious the economy of the province—on a one-shot basis certainly and I hope it won't occur again—was being jeopardized, that we were prepared, under those one-shot circumstances after examination of the economy as it was, we were prepared to agree we had to have compulsory arbitration.

That is why, Mr. Speaker, if you will permit me sir, we insisted on looking at the provisions of the bill before we decided that we could not possibly support the bill.

I want to talk about our substantial objections in this regard. I want to say that there has been no record, certainly in this Legislature or any other democratic jurisdiction, where a government, except under circumstances where there was a strike involved, was prepared to change the terms of a valid contract entered into in good faith by both sides; which is what the Minister of Education is attempting to do with the bill that is before us, Bill 274.

Now, the matter of resignations and whether it is a strike or not are relevant certainly, because the minister is aware, and mentioned it in his earlier remarks, that just a year ago, under similar circumstances, schools were closed, classrooms were unmanned for a period of up to—what, three weeks?—13 days, and somebody has said, I think it was the leader of the NDP, I don't know whether he said the world didn't stop turning, but that's true.

The minister, through the laws and regulations of Ontario, has set aside 12 days already when the classrooms are not manned under those circumstances, and while we want the best for the young people—and I am quite prepared to grant there is no one in this chamber or in this province who does not consider that their prime aim and purpose—still we are concerned with the individual liberties and the civil rights of the teachers who are involved and come under the jurisdiction, specifically, of this bill.

Seventeen specific school boards and the teachers—well, the minister says it's 16. I notice that there are 17 specific boards mentioned, but there may be some odd—

Mr. Stokes: The first one settled yesterday.

Mr. Foulds: His amendments cannot even keep up with him.

Mr. R. F. Nixon: The Schreiber-Terrace Bay group have settled, and so the number has been reduced.

So, in talking about the specific objections, let me say this: The amendments the minister has put forward do not change the principle of the bill. It gives him some comfort to say that the word "void" has been removed and he is not voiding the right of the individual member of the teaching profession to resign, but in fact he has simply postponed the effectiveness of that resignation by a period of eight months.

We are quite prepared to accept, even, the minister's indication that in individual cases a resignation would be legal and validly accepted. Surely that would not be impossible. But to bring in a bill that in this way and without consultation removes the rights of the individual teachers is our prime objection. That this Legislature should interfere with the contractual obligations of the school boards in relationship to the teachers is simply unacceptable.

Let's talk about what I said at the first; that the minister in fact had manufactured a tissue of deception, in his defence of the bill which is now before us, by putting some sort of a special blame on the teachers concerned. I would wish that the minister had gone out on the front steps—

Hon. Mr. Wells: Nobody put any blame on the teachers.

Mr. R. F. Nixon: Well, the minister is saying that he is going to remove their right to resign; he must be blaming the teachers. Who is at fault? Well, let's say who is at fault. It is the minister himself.

Hon. Mr. Wells: The boards don't single out the teachers, and the boards—

Mr. MacDonald: He is just tying one hand behind their back and cutting it off.

Mr. R. F. Nixon: And I would say, Mr. Speaker, that if the minister had come out on the front steps just last night and had looked at the teachers and heard what they had to say, he might have been impressed with something that certainly has impressed me. In the past we have had people marching on Queen's Park, we have had people coming up into the Legislature, coming into the galleries to almost participate in the debate. But the minister, through the policies in the—what?—two years since he assumed

the ministry, has succeeded in deeply, and I would say unalterably, alienating the teachers in this province and everyone else with a knowledge of and concern for education—

Hon. Mr. Wells: Oh, that's not true.

Mr. R. F. Nixon: There is some specific aspect of the cynicism with which the minister approaches his responsibility which somehow has turned the teaching profession off. They are after his scalp and I would predict to you, Mr. Speaker, they'll get it; because this legislation and his attitudes are unsupportable and not in the best interests of education in this province.

Mr. Lewis: I don't think they will get it.

Mr. R. F. Nixon: Now, let's look at the history of this.

Mr. Lewis: I don't think the minister is in any danger.

Mr. R. F. Nixon: The minister inherited a spending machine—

Hon. Mr. Wells: Not one of his better speeches.

Mr. Lewis: The minister is doing what the Premier (Mr. Davis) wants him to do.

Mr. R. F. Nixon: The minister inherited a spending machine which had been constructed by his predecessor, the Premier; which had available unlimited funds, which had seen the expansion of our education plant and certainly the increase in teachers' salaries at an incomparable rate. I can recall a circumstance—and I may be criticized for this, but it has a direct bearing when as a teacher myself I was asked by my board representative, or the representative of the OSSTF, if I were prepared to continue working under the situation prevailing. I was not, and I resigned on that basis, as did my colleagues in that school board.

There were no particular ramifications of this that came out of the Legislature. I suppose it would be said we were trying to bring pressure on our employers to increase our salaries. We were successful in doing that; my salary went up from $2,800 to $3,000 a year. We thought we had accomplished something very good indeed.

I cannot see why, under similar circumstances, this minister considers the matter to be so nefarious to the point where he has to bring in special legislation removing the rights and privileges of the teachers to do just what has been done in the past, and which in fact might close the schools for a limited period of time. Which in fact would leave the final responsibility with this Legislature—if necessary, as it is under any other circumstances—to take action so that the schools would resume their teaching function, but which would in fact leave the basic negotiations as they should be left—between the teachers, organized as they are and well organized, and the trustees of the various school boards in the various communities dealing with their responsibilities with all the freedom they must have.

That gives me a lead into the third important point I want to bring to your attention, Mr. Speaker. That is that the school boards do not have the freedom of action to deal with the teachers and the teachers' professional organizations, as they must.

The minister did inherit a spending machine that had not been brought under any control for a decade. The very man who had set the spending machine in motion instructed the minister that the costs must be brought under control. An amendment, I believe to the Schools Administration Act, was passed, unfortunately, which gave the minister direct budgetary control through regulation if he chose to exercise it.

He has now been exercising it for about two years, and in fact almost three, with the imposition of a programme called "ceilings." It is rather a complex formula programme which the minister from time to time has seen fit to defend as not interfering with the rights of the school boards nor the quality of education. We have argued strenuously with him on this basis, believing that the ceilings, as we understand them, should be applied by the democratically-elected school boards and not by the minister by veto, by direction or by direct budgetary control.

The school boards, in entering into negotiations with the teachers, have really had their hands tied. In many of these meetings the school boards have said bluntly and plainly they could not even consider meeting the positions put forward by the teachers because they did not have access to the funds that would allow them to move in a direction to increase the pay or improve the conditions of service as was demanded by the teachers in their negotiations.

There has been more than one specific instance. I understand the Carleton board had been able to offer a four per cent increase in salaries for teachers. This was not good enough for the teachers. I've heard of certain

people employed who saw fit to settle for 25 per cent. I have seen negotiations that have not been trammelled by these particular, let's say special binding regulations, undertake an average increase of from eight to 10 per cent per year, and in some negotiations accept a 20 per cent increase over two years.

But the point is the school boards were not free to negotiate. The Carleton board had to say to its teachers: "We offer you four per cent, but that's the end of the line because there isn't any more money. The minister has decreed that there will be no more money."

Mr. S. B. Handleman (Carleton): Nine and a half per cent, not four.

Mr. F. Drea (Scarborough Centre): He doesn't know what he is talking about.

Mr. R. F. Nixon: That's on a two-year basis.

Mr. Handleman: One year, one year.

Mr. Eaton: He doesn't know what he is talking about.

Mr. R. F. Nixon: Mr. Speaker, the Minister of Education, even in the instances where he has attempted to provide some freedom of action—

Mr. Handleman: Will the member for Ottawa East tell him?

Mr. Eaton: Tell him!

Mr. R. F. Nixon —has said to the school boards: "You have the right, the individual liberties, the local autonomy to economize as you see fit. If you want to pay the teachers more, fine; don't buy so many school books. Cut down the staff, lower the teacher-pupil ratio." This they have done. "Cut out what you might call the frills in education." That is those classes associated with special education, remedial readings, that sort of thing.

I'm sure you have found, Mr. Speaker, from your observation, that the results of these ceilings have in fact saved money, but they have seriously reduced the quality of education and have led us to the impasse which has caused the minister to introduce the bill that is before us this afternoon. But he is the author of these misfortunes. When he finds it difficult to understand the unreasonable position, in his words, the teachers have taken, it is as a result of his policies.

It cannot be blamed on the school boards or the teachers, because free collective agreement cannot be achieved when the employers simply do not have the freedom of action to move other than at the direction of the minister himself.

Personally, I feel that this bill is the beginning of a series of legislative Acts which will see the minister acting in many senses as the sole negotiator with all of the teachers in the province. What could be more unfortunate? What could do more to destroy the sense of local autonomy which still exists in some communities, even though in fact the basic decisions are still made here at Queen's Park?

The concept of this sort of negotiation, of the type which in many respects have developed in the Province of Quebec, is not a good concept in my view. We should do everything we possibly can to leave the power of decision at the local school board level and not interfere with it through the unnatural imposition of ceilings, nor through legislation of this type which, in my view, will lead to the kind of negotiation—if you can call it that—that leaves the decisions in the hands of one man, and that man the Minister of Education.

We have talked about the Reville report and its recommendations now, for three or four years. The minister has not seen fit to accept all of the recommendations, only those calling for an arbitration tribunal and a few others. In the draft bill he presented a day or two ago he indicated he's quite prepared to have conditions of work subject to negotiation and, finally, arbitration.

The conditions of employment in the teaching profession generally lead to a discussion of class size. I believe class size is a better way to describe it than teacher-pupil ratios, because in many communities there are so many employees who do not actually conduct a class that class size is the best way to refer to it.

I personally believe that class size and the teachers' conditions of employment should be discussed and negotiated between those people who have the responsibility to give their services in the classroom, and the elected school boards which represent the community and have the final responsibility for the decisions which affect the quality of education. But we have seen that the minister is even prepared to interfere with that, and this is regrettable.

We heard the minister make his assurances in this House a week ago that he had a team of mediators who were prepared to fan out across the province. They were prepared to assistant in every way possible to achieve

the settlements which would mean that the schools would be in operation as of Jan. 3.

He has made much of the questions from my colleague, the member for Ottawa East, somehow attempting to pin on him the responsibility for the introduction of this legislation. Nothing could be more unfair nor irresponsible because the minister, in answer to the questions, did indicate that he would provide mediation; that, in fact, he was preparing legislation which has now been tabled as draft legislation for our consideration, and he indicated he was prepared to allow the negotiations to continue.

As a matter of fact, the assurances that we, as members of the Legislature, would be willing and anxious to come back into session in January if necessary, came as a result of the questions from the member for Ottawa East. It is a matter that surely the minister must have given grave consideration to?

He has indicated that he has considered this matter in terms of suppose the schools did close? It is agreed on all sides that this would be extremely unfortunate but still something that we should be able to contemplate. After all, the functions of the teachers in the classroom, while they are essential to education—at least formal education—are not essential to life, limb, happiness, health and whatever else might be considered as something we could not do without.

It seems to me we should be prepared, as members of the Legislature, to give the school boards and the teachers every opportunity to continue their negotiations, enter into a settlement—we would hope for and desire a settlement—and that if a strike—we must call it that, if there are this many teachers involved—if a so-called strike came about, we would have to govern ourselves as members of the Legislature, according to the demands of the community and the exigencies as we see them under those circumstances.

We feel this imposition of compulsory arbitration, the interference with the contractual rights of the teachers involved, is premature. We feel the government is involved in a bill which simply cannot command support, nor even be to the credit of the people of this province.

I can remember, in comparison, a situation that occurred not too long ago, when the government undertook to bring before the House a similar piece of legislation dealing with the public service. We opposed the bill. We felt, for example, the employees of the government who operate the liquor stores, no matter how essential they might be in the eyes of some individuals, are not essential for the community. We felt that it was legislation which imposed compulsory arbitration without reason, without good cause.

As a matter of fact, I was surprised at the time that the people involved, those employees of the provincial government, were not more exercised than they were. You may recall, Mr. Speaker, that the executive of that organization came to Queen's Park to register their opposition, while it was strenuously debated here. Opposition was brought forward and votes were taken, but still this type of a procedure has now been entrenched as the bargaining procedure for civil servants.

They don't seem to be too concerned about it. The big difference, as far as I can see, is the concern of the 106,000 teachers in this province who do not want to lose these rights. They do not want to lose the contractual rights that are a part of the conditions of their employment. They have this deep-seated malaise when they think of formal education and the direction of formal education, which somehow has become entrenched under the jurisdiction of this minister. It must be one of the things that he finds more regrettable than anything else.

When you look at the teachers, the ones that were in the gallery last night, and I presume there are some here today, who for some reason have been able to get away from their classrooms, and the ones who were out in front last night, they are a new breed of people. I was remarking to many people how young the people were who were here. I don't think you could find very many of them who were older than 25 to 30 years of age.

Mr. Handleman: The member can say that 10 times more.

Mr. MacDonald: And not all of them Tories.

Mr. R. F. Nixon: Their views about their responsibilities are very different, let's say, from mine when I look back at teaching in Sault Ste. Marie in 1950; perhaps even from the Minister of Education, who thinks of education in terms of his years as a trustee in the Scarborough area. While we try to have as broad a view as possible, we tend to be boxed in by the confines of our own experience.

These people who are protesting the legislation have, believe me, a different kind of experience, a different concept of their duties as teachers. You can remember the day, or certainly I can, when the teacher was expected to sing in the church choir, probably lead

a Brownie group, and certainly not be seen taking a drink in public or anything like that.

Well, things have changed. Teachers are people. They are not some sort of martyrs. They are not some sort of people who have made a commitment to a low-paying job. They are people who have every right to withdraw their services under these circumstances. They are people who are shocked and horrified—and they believe in democracy—when a democratic government is prepared to force through emergency legislation withdrawing those basic rights.

We tell you, Mr. Speaker, the Minister of Education has sadly mistaken the strength of those organizations. Not that they are going to disrupt the world, but they are going to see that their rights are not tampered with nor interfered with. They are going to take the steps necessary to restore the kind of freedom to their organization and to their profession which may very well be removed at the conclusion of this debate, whenever that happens.

There are alternatives. The minister is, let's say, a suave, persuasive individual.

Mr. Lewis: Suave?

Mr. R. F. Nixon: Suave has to do with the hair-do.

Mr. Lewis: Stop there.

Mr. E. M. Havrot (Timiskaming): He is a good guy.

Mr. R. F. Nixon: Let's say he is persuasive. I have heard him in action. I have heard him talking to teachers' groups, and he is well received indeed.

Mr. Havrot: A great guy.

Mr. R. F. Nixon: Until the last few months, when the cynicism of the approach of this minister to the control of teachers' negotiations has become evident.

He was talking about his bill last March. It could have been introduced in the spring session. It was held over to the fall because there had to be further negotiations. There were certain tensions in the teaching community, problems with the ceilings, the withdrawal of certain ancillary services without the withdrawal of the teachers from the classrooms themselves. The minister as a politician made the value judgement that he would postpone the introduction of his bill, which he knew would be disruptive, until a quieter time came along.

It is funny that politicians are always waiting for a quieter time. It never, ever, comes. There is always a new crisis, a new problem, some new matter that must concern us.

So now, Mr. Speaker, the hon. minister finds that he has a crisis on his hands, that he has reacted in haste, that he has reacted in a way that cannot be supported by people who look at the provisions of this bill and see that the individual rights of the teachers are being tampered with and withdrawn, and that there are alternatives which we should consider.

I don't think the Minister of Education could achieve a settlement now. I believe his credibility has been lost.

Although he has entered into the debate on this matter to some extent at least and perhaps will again before it is completed, the Premier in his position should gather with the representatives of the teachers' professional organizations and the trustees in the jurisdictions involved in this bill and indicate that we want to have a settlement and that, in return, this bill will be withdrawn and we will have an opportunity to discuss these matters without the emergent situation that the hon. minister has brought on himself.

I would say to you, Mr. Speaker, that this is the only responsible way out of a situation that the minister is responsible for. We believe that the bill simply cannot be supported; we intend to oppose it now. We have discussed amendments, but in fact we don't believe this bill is amendable in a way which can make it a viable piece of legislation, when we are concerned with the rights of the teachers, the quality of the education and the instruction of the young people in this province.

My colleagues and I will oppose it now. We will oppose it in committee. We will oppose it in third reading and we state, through you Mr. Speaker to the hon. minister and to the Premier, if in fact he is listening to this debate, that the key to the solution still lies in the hands of the Premier through personal negotiation.

Mr. Bullbrook: Quite right.

Mr. R. F. Nixon: That it is quite possible to avoid the emergent situation—

Mr. Bullbrook: He can do it.

Mr. R. F. Nixon: —in which we find ourselves at the present time, and that for the good of teaching, this is the course of action which must be taken without delay.

Mr. Foulds: Mr. Speaker, we would like to welcome the Liberals to the cause. How-

ever, it is a great pity that they did not see fit to support us on the first reading.

Mr. J. Riddell (Huron): Get down to business.

An hon. member: Oh, sit down.

An hon. member: Let him talk.

Mr. Roy: How many bills has the NDP opposed on first reading?

Mr. Foulds: Oh, we've just hung up on five or six—

Mr. M. Cassidy (Ottawa Centre): They were saying they wanted new legislation just last week.

Mr. Deans: We opposed this one though. We opposed this one.

Mr. Roy: Did the NDP oppose the civil service bill?

Mr. Foulds: The member doesn't know what he is talking about.

Mr. Speaker: Order! Order, please.

Mr. Bullbrook: Let's not waste 10 minutes.

An hon. member: That's defensive.

Mr. Foulds: It is not sufficient for the Liberals to say that they did not have time to examine the legislation in detail.

Mr. E. J. Bounsall (Windsor West): The member for Sarnia is not supposed to be talking when he is not in his seat.

Mr. Foulds: The hon. minister, an hour before he tabled the bill, outlined very, very clearly the principles of Bill 274. I want to quote from his statement:

> I am also introducing today for the first reading a less detailed interim bill designed to bring our basic intentions to bear upon teacher-school board negotiations which have not reached successful conclusions by Jan. 1, 1974. This bill voids mass resignations. At the same time a process of binding arbitration will be initiated in those remaining situations where agreements have not been reached.

What could be clearer than that?

Mr. Lewis: Nothing.

Mr. R. F. Nixon: Or clearer than the member's playing politics.

Mr. Foulds: And then when you look at the Votes and Proceedings of the House for Monday, Dec. 10.

Interjections by hon. members.

Mr. Foulds: On the vote we look down the names of the "ayes" voting for the government legislation. We find imbedded in the midst the name of the member for Brant, unlike Abou Ben Adhem's, it did not lead all the rest, but it was there; and the Liberals who came into the House to vote are also counted with the government.

An hon. member: Shame, shame.

Mr. R. F. Nixon: Is the member going to talk about the bill?

Mr. Foulds: It is to their credit that a number of Liberals, two at least, significantly absented themselves from the House on that vote. It is a tribute to them that they managed to persuade their colleagues.

Mr. Lewis: Who were they?

Mr. Foulds: The hon. member for Windsor-Walkerville (Mr. B. Newman), and the hon. member for Rainy River (Mr. Reid). And it is a tribute to them and to other members of the caucus—

Mr. R. Haggerty (Welland South): How come there were eight NDP missing?

Mr. Foulds: It is a tribute to the leader of the Liberal Party that he was willing today to admit his mistake publicly.

Mr. R. F. Nixon: Where were the member's keen colleagues?

Mr. Foulds: Nevertheless, although I welcome the Liberal support I know that it will be capricious. I know that it may not last.

Mr. R. F. Nixon: His problem is he wants to beat the Liberals not the Tories.

Mr. Foulds: The Tories with whom we ideologically disagree, at least we find consistent.

Mr. Deans: The Liberal leader is wrong.

Mr. MacDonald: He is wrong now and will be wrong tomorrow.

Mr. Foulds: We know how to fight that consistency, which we disagree with in principle.

Mr. Lewis: The Liberals are forever wrong, but forever.

Interjections by hon. members.

Mr. Foulds: I find it difficult to understand a party like the Liberal Party—

Mr. Riddell: Is the NDP fearing for its position? Why is the member going on like this?

Mr. Deans: The members know what our position is. Explain it.

Mr. R. F. Nixon: He is running for second place.

Hon. Mr. Grossman: The enemy is over here.

Mr. Speaker: Order.

Interjections by hon. members.

Mr. Foulds: Why is the Liberal Party opposed to compulsory arbitration?

Mr. Speaker: I must ask the member to speak about the bill rather than the Liberal Party. Get back to the bill, if you please.

Mr. Foulds: Yes, I will, Mr. Speaker. Why is compulsory arbitration—

Mr. Speaker: In my opinion he was not on the bill at all. Perhaps he'll get back to the bill.

Mr. Deans: I didn't say a word.

Mr. Ferrier: He's on compulsory arbitration; that's in the bill.

Interjections by hon. members.

Hon. Mr. Grossman: His job is to filibuster until 6 o'clock. He has got to fill in.

Mr. Foulds: Why is the principle of compulsory arbitration, which is embedded in this bill, repugnant to the Liberals when it applies to teachers, but not repugnant to the Liberal Party when it applies to civil servants, including community college teachers?

Mr. R. F. Nixon: We opposed it when it applied to civil servants.

Hon. Mr. Grossman: The member for Wentworth should wake up.

Mr. Deans: I am awake, don't worry. I'm just thinking.

Mr. Foulds: We in the New Democratic Party oppose Bill 274. We oppose it because in principle we oppose compulsory arbitration. We know that in opposing the bill we may not be taking the popular stand. We knew that when we opposed it on first reading. We know that the public feels more comfortable with its children in its schools.

Hon. Mr. Grossman: Don't get paranoid.

Mr. Foulds: We know that the editorial boards of the major papers throughout the province are relieved to see compulsory arbitration imposed on teachers. However, we, feel as a matter of principle, we cannot allow teachers to be made victims of a heavy-handed and dictatorial government.

We know we must oppose any attempt by this government to take away the rights of individual minority groups within our society because once it is possible to do that to teachers, it is possible to do that to other workers in the public sector; next it will be other workers in the private sector. It may, in fact, extend to trustees and privileged groups like that.

If we give up this fight without a battle it becomes easier and easier for this top-heavy government to deny individual groups within our society their due rights with less and less responsible reasons.

Mr. Speaker, Bill 274 is a bill conceived in haste, with insertions in ballpoint pen, written on at least three different typewriters, at least one of which was imported from the editorial board of the Toronto Globe and Mail.

Interjections by hon. members.

Hon. W. A. Stewart (Minister of Agriculture and Food): Come off it. That is absolute nonsense. The NDP is just playing politics.

Mr. Foulds: As a matter of fact, Mr. Speaker, the amendments which we have before us today are in the same type as the section in the first typewritten bill we got. It was typed on that particular typewriter.

Hon. Mr. Stewart: The lack of credibility of that group over there is more evident every day.

Mr. J. R. Smith (Hamilton Mountain): What about the—

Mr. A. Carruthers (Durham): When is the member going to get back to the bill?

Mr. MacDonald: He is on it now.

Mr. Foulds: This bill, Mr. Speaker, is misconceived. It is badly constructed and it is unbelievably badly timed. We in this party will divide on second reading as we have done on first. We will introduce amendments during the committee stage of debate and we will divide clause by clause.

We will fight this bill with every legislative means at our disposal, because, Mr. Speaker, for the first time in my two years in this

House with this minister as the Minister of Education, he has put his foot seriously wrong. His predilection for consensus has led him to procrastinate unduly with overall general legislation governing teacher-board negotiations, that is the present Bill 275. After all, the infamous Reville report has been a public document for some 15 months. Goodness knows how long this ministry stewed internally over that report previous to its public release.

But for at least four years this government's Ministry of Education has sat on its hands with regard to the whole business of teacher-board negotiations. And this bill before us today, this Bill 274, which forces compulsory arbitration on both boards and teachers, is symbolic of the ministry failure.

It is not symbolic, Mr. Speaker, of the failure of the full, free collective bargaining process. The minister is creating a crisis where none had existed. Admittedly the situation was serious, but by panicking the minister has escalated it into a full-blown crisis. And he is, Mr. Speaker, deliberately trying to whip up anti-teacher sentiment across this province, both among parents and among editorial boards of newspapers. And in doing so, he is doing with this bill a grave disservice to education in this province.

Well what's wrong with binding arbitration? If I may, I would like to dwell on the whole concept for a minute. The negotiation process has evolved as a procedure in which two parties come together, make concessions and compromises and jointly reach an agreement. Under the collective bargaining process, the right to reach a contractual agreement through concessions and compromises is at the very heard of the procedure. It has long been recognized that an agreement reached by parties themselves is far more satisfactory than an agreement imposed on them by others.

This legislation before us today is forcing the teachers to accept working conditions and salaries established by the government. Compulsory arbitration could be the first step towards other compulsions. Compulsory arbitration would destroy the effectiveness of collective bargaining, because neither side will again bargain in good faith if they know that the dispute is going to end up in the hands of an arbitrator.

It is likely that at least one of the parties would feel that more could be gained by waiting for an arbitration decision than by compromising. It is not good tactics to yield any points in advance, so the making of offers and counter-offers is discouraged, without which there can be no negotiations.

The trustees will make no offers for fear they will be used as springboards in arbitration. Since compulsion will be applied to the settlement of disputes, both sides will tend to list many demands and drop none in negotiations; believing that nothing will be lost if some of the chaff is denied in the arbitration.

Further, it is reasoned if the arbitrators rule against one of the parties on a number of minor issues, the chaff, they may be more inclined to favour that party on the major issues in order to appear fair.

Arbitration turns negotiations into a debating contest and the outcome is seldom the kind of meeting of minds that results when each side has something to gain from good faith negotiations, and something to lose from unreasonable stubbornness.

Mr. Speaker, I don't want to unduly take the time of the House. All of us have received lists of messages from people all across this province. I will not be reading into the record those that I have received, but it is a significant and substantial number; both from groups of teachers and from individual teachers, and from teachers across the entire province.

I think, as I enter and am involved in this debate, Mr. Speaker, I am rather sadly reminded of a speech that I made on April 6 of this year when discussing the Reville report. Because at that time I said, and I don't take any sense of pleasure in this, but at that time I said, and I will quote:

> Let there be no mistake. If this government thought it could get away with introductory legislation based on the reactionary recommendations of the Reville report, it would do so.
>
> One has only to look at the legislation the present government brought in a year ago last spring governing the Civil Service Association of Ontario. That legislation took away from that association its right to bargain in all those areas of interest that every working group should have the right to negotiate; that is working conditions, fringe benefits, and so on.
>
> . . . I would like to make a commitment on my party's behalf, as the present education critic of the New Democratic Party, that we will fight any legislation which is based on the Reville report which denies the teachers the right to negotiate their working conditions.
>
> And denies the teachers the right to strike.

Hon. Mr. Wells: That is not what our bill does; that is not what our bill says.

Mr. Foulds: The government denies the teachers the right to bargain about their negotiating conditions because it has tied the hands of the boards with the ceilings.

Hon. Mr. Wells: No.

Mr. Foulds: The arbitration the government will force on them will force a higher pupil-teacher ratio.

Mr. Cassidy: That is right on.

Mr. Foulds: The minister cannot have it both ways. He cannot separate the two-pronged attack he has launched on the local school boards and the local teachers. He cannot separate his ceilings from this bill.

Hon. Mr. Wells: Woolly thinking.

Mr. MacDonald: The Tory concept of freedom is a series of strait-jackets.

Mr. Foulds: During the last four years, when the ministry has had its chance to play a creative role in developing a proper and legitimized teacher-board negotiation procedure, it has failed to do so. It has not, and it did not come up with the general legislation required to legitimize and rationalize teacher-board negotiations. We in the New Democratic Party on Monday welcomed the tabling of Bill 275, an Act to amend the Schools Administration Act, which outlines the overall procedures for teacher-board negotiations. We welcomed that, late though it was. We welcomed that, even though we have some very grave and serious reservations about that bill, which we will fight at the appropriate time. But at least now the whole range of what is negotiable is out in the open.

We feel that the act of tabling that legislation would have been sufficient in the present situation. Having tabled that legislation, the government thereby would have informed both parties in all the disputes throughout the province what the future guidelines were to be. The act of tabling Bill 275 would have encouraged both parties in each of the disputes across the province to negotiate in good faith over the three to four weeks.

In fact, Mr. Speaker, the ministry's failure and this government's failure goes further. There is no reason why the omnibus legislation could not have been tabled at the beginning of the session of this Legislature. If the ministry had done that, the present Bill 275 could have been introduced, could have been fully debated in principle, and could have gone through the committee stage, hopefully outside the House in the social development committee, where that committee could then have heard public representations from trustees, teachers, teacher organizations, boards, parents and the public generally.

With subsequent modifications it could have been reported back to the House, been given third reading and received royal assent. If this government had done its job, that would have made this present abhorrent legislation unnecessary. This legislation would, therefore, have become unnecessary. If this government's predilection for indecision, for procrastination, and its talent for self-immobilization had not taken hold, we would have had legitimate legislation to deal appropriately with the present situation.

As I have said, we in the NDP have very serious reservations about Bill 275. But we could have and we would have debated that legislation fully, with due and careful legislative process. Instead, we are once again faced with the prospect of this government's ramming through thoroughly unsavory and unhealthy emergency legislation in the dying days of this Parliament.

This government not only abuses this Legislature but it abuses teachers, it abuses school boards, and it abuses the public by this hasty and unnecessary legislation, ramming it through the House in this government's usual dictatorial fashion. We would submit, Mr. Speaker, that this legislation is a betrayal of the commitments given this House last week by the minister when he said: "At the present time"—and I'm quoting directly—"free bargaining is going on between certain parties, and I think it becomes very crucial that we do not interfere with that bargaining process at this particular time."

Mr. Lawlor: What about that?

Mr. Cassidy: It's a betrayal. That's what it is.

Mr. Foulds: He said: "I am hopeful that settlements will be reached in most of these areas."

Further, the minister said about the general legislation which, at that time, he was not going to table.

> Now in order to keep my word to those groups I really am committed not to bring that legislation forward until we have one further meeting to discuss certain points so that bringing it forward at this time would break my commitment to these groups.

This legislation is a betrayal, therefore, of the commitments the minister has made, both to teachers and to boards.

Hon. Mr. Wells: The member didn't read my statement.

Mr. Foulds: The most dramatic thing about Bill 274 is that this emergency bill does not reinforce the general bill. It contradicts it, Mr. Speaker.

This emergency bill, this premature creation, this ill-formed, unswaddled child sired in what dark recesses we know not where, betrays not only its own parentage but betrays the principles enunciated in the minister's statement yesterday—pardon me Monday—to this House. How can the minister reconcile Bill 274 with what he said to this House on Monday about the principles of Bill 275? If you just give me a moment, Mr. Speaker, I'll find that.

Hon. Mr. Wells: It's very consistent.

Mr. Foulds: Entirely inconsistent!

Mr. Stokes: Consistent only in the minister's inconsistency.

Mr. Foulds: He is saying about the general legislation, Mr. Speaker—

Mr. Laughren: The minister has the soul of a Liberal.

Mr. Foulds: The minister says: "This legislation embodies basic premises."

Hon. Mr. Wells: Dead wrong.

Mr. Foulds: He says "They include: (1) the need to create an atmosphere that allows for free collective bargaining between teachers and schools."

Mr. Minister, the teachers in the galleries last night, the teachers outside last night, are they going to be able, because of this bill, to engage in free collective bargaining?

Hon. Mr. Wells: They had that for eight months.

Mr. Foulds: He said, the principles that this bill is supposed to reinforce include "the right of teachers to negotiate terms and conditions of employment as well as wages and fringe benefits." And how can they do that, Mr. Speaker, when the ceilings will not be allowed to be expanded and there is deliberately included in the legislation a clause which prevents the arbitrator from finding a just award?

Hon. Mr. Wells: Dead wrong.

Mr. Foulds: Subsection 22(2) contradicts that ability of the arbitrator. How can the minister say that Bill 274 is "part of a planned schedule of meaningful negotiations on the part of both teachers and school boards, including the use of mediation where required"? How can he say that this bill is "consistent with the principle of the involvement of third parties in provincial associations by either teachers or school boards to assist in negotiations where that is deemed appropriate;" when he's taken all the intermediate processes of negotiation out of the picture by imposing arbitration at this time.

Hon. Mr. Wells: The member is not that dense. Come on, he's not that dense.

Mr. Foulds: What this bill, Mr. Speaker—on this one, frankly, we hate the minister's guts. On this one we disagree both ideologically and in this chamber to a degree that neither the minister or any of those members on the Tory back bench will ever understand; because in this bill the minister has destroyed the atmosphere surrounding educational development of this province.

Hon. Mr. Wells: I don't mind listening to reasonable—

Mr. Lewis: This bill is just the tip of the iceberg; we will have a lot more to say to that before this debate is over.

Mr. Speaker: Order, order. The member for Port Arthur has the floor. Let him continue.

Mr. Foulds: I enjoy these interjections, Mr. Speaker.

Mr. Speaker: The member might enjoy them, but they're not parliamentary. Just go ahead.

An hon. member: He is just being provocative.

Mr. MacDonald: What does the Speaker mean they are not parliamentary?

Mr. Speaker: They are not.

Mr. Foulds: You are wrong. They are about as parliamentary as your decisions, Mr. Speaker.

Mr. MacDonald: They are in our traditions of Parliament. This is not a panty-waist outfit.

Mr. Deans: Why do we have interjectionists, Mr. Speaker, who do such a good job?

An hon. member: The local Milque-toast presiding over the gentlemen's club.

Mr. Foulds: What Bill 274 does is this: It informs teachers that every time a board does not wish to discuss working conditions all it has to do is sit tight and refer, "the outstand-

ing matters of dispute," to compulsory arbitration.

Mr. Lewis: That's right.

An hon. member: That's right.

Mr. R. B. Beckett (Brantford): Edgar Bergen.

Mr. Foulds: What this bill does is to lay the heavy hand of arbitration over every single negotiation between teachers and boards in this province.

An hon. member: That's exactly right.

Mr. Foulds: What this bill does, Mr. Speaker, is to say to both teachers and to boards: "Look fellows, you are making us very uncomfortable politically. Settle it, or the province will impose a settlement on it."

Mr. Lewis: That's right.

Mr. Beckett: Edgar Bergen.

Mr. Foulds: Contrary to the minister's statements, this emergency legislation discourages parties from bargaining in good faith over the next three weeks. It rushes them to a judgement: it rushes to the compulsory arbitration situation. It is intimidation of the worst sort.

Mr. Lewis: That's right.

Mr. Foulds: It makes the whole intermediary process of free and collective bargaining meaningless and futile.

And what is so sad, what is tragic about all of this, is that the crisis need not have occurred. Last week, this party and the official opposition indicated their willingness to be recalled in January if a crisis situation had developed at that point in time.

Hon. Mr. Wells: They would have passed the bill then, would they?

Mr. Lewis: Yes, we believe teachers should have the right to strike. We have said it many times. We don't retreat from it.

Hon. Mr. Wells: We know that.

Mr. Lewis: But we don't believe in bludgeoning them into submission in advance.

An hon. member: And, in the meantime, restrict collective bargaining.

Hon. Mr. Grossman: What would the hon. member have done when he came back?

Mr. Lewis: Voted against the government probably. I don't know; it depends on the crisis.

An hon. member: One doesn't call the fire department until the fire starts.

Mr. Cassidy: It depends on what one believes about freedom of bargaining.

Mr. Foulds: As a matter of fact, that is a very good image. This minister is acting like a fireman who lights fires to create a job for himself. That's what he does.

Mr. Lewis: That's right. He is the greatest straw man creator around this joint. He is an endless make-work project for himself.

Interjections by hon. members.

Mr. Foulds: Without this bill, Mr. Speaker, the minister had plenty of weapons of persuasion, if he chose to use them.

Mr. Lewis: Corporal punishment, compulsory military training—there are all kinds of things he could have done that he really wanted to do.

Mr. Foulds: A serious Minister of Education would have considered much more fully and at much greater lengths the recalling of the Legislature in January. He wouldn't have changed his mind in a period of three days.

Hon. Mr. Wells: That would have been clearly irresponsible.

Mr. Foulds: He could have, as a tool of persuasion, used the withdrawal of grants for those boards that remained closed if they did. He could have, as a tool of persuasion, used the mediators which he had previously promised to use in every single outstanding case. And, fourthly, he could have, as a tool of persuasion, used the framework of the overall legislation.

But no, instead of the use of persuasion, this minister uses the sword of force; he uses the club of arbitration.

In response to questioning, the minister has said that none of the arbitration awards outside northern Ontario—and northern Ontario has only three of the 16 boards presently out, so to speak—none of the awards will be able to pierce or go beyond the ceilings.

In effect, Mr. Speaker, this has imposed wage controls on the teachers—

Mr. Cassidy: That's right.

Mr. Foulds: —and that is unfair, and unjust in any kind of legislation in this kind of society.

Mr. MacDonald: It's a Tory concept, though.

Mr. Foulds: Moreover—and this is an area that has not received adequate discussion in this whole debate—in so sensitive an area as the learning environment of our kids, he has imposed controls on the negotiation of working conditions that could have led to a healthier and more creative atmosphere in the classroom. And if I may just diverge for a minute, Mr. Speaker—

Hon. Mr. Wells: We haven't imposed controls.

Mr. Cassidy: Sure they have. Read section 22; it's right there.

Mr. Foulds: One of the things that it is difficult for Conservative Neanderthals to understand or for people who are not teachers or involved in the profession, to understand is that when a teacher is negotiating working conditions for himself, he is negotiating learning conditions for the kids for whom he is responsible.

When we lower the pupil-teacher ratio, Mr. Speaker, we create an atmosphere in the classroom in which a kid can learn more fully. When you lower the pupil-teacher ratio, you allow a teacher and a pupil to get to know each other better so that the teacher can recognize more easily, more quickly and more perceptively some of the handicaps under which that kid is working. Those are educational conditions.

If I had a propaganda ploy to use for the teachers, instead of talking about negotiating working conditions I would suggest they talk about negotiating educational conditions in the classroom, because they are talking about the same thing. That is what teachers mean about working conditions.

I want at this point to pay some particular attention to the present situation of dealing with so many elementary school pupils. Of the 495 schools so affected—that will be down some in the last three days—only 50 or so of them are secondary schools. The vast majority of the schools affected are elementary schools. The minister's ceilings, on the one hand, have widened the gap, widened the disparity in per pupil ceilings between elementary and secondary pupils.

The boards have proportionately fewer dollars with which they can negotiate with their elementary teachers, relatively proportionately less than they do with their secondary teachers. Yet the whole contradiction and the whole schizophrenia of the ministry is revealed when the minister has decreed that elementary teachers must upgrade their certificates, must increase their qualifications and must get degrees. While the ministry is doing that on the one hand, the ministry is also telling the boards they cannot pay those elementary teachers any more because of the imposition of the ceilings.

It is very tragic, Mr. Speaker. I had a director of a northern Ontario board of education come to me and say: "By and large, we won't be too badly off with regard to the secondary schools, but do you know what I have to do when I'm looking for recruits for the elementary schools? I have to go out and look for the least qualified, because I don't have enough money to hire people at the standard 5 or the standard 6 levels. If I want to keep the pupil-teacher ratio in any kind of proportion, I have to hire less qualified people."

That says one hell of a lot, Mr. Speaker, about how this ministry views the policy of education at the elementary school level.

An hon. member: Disgraceful!

Mr. Foulds: By his ceilings, Mr. Speaker, the minister has tied the hands of the boards. By this bill he has tied, bound and gagged the teachers. This bill brutally gives the lie to all the minister's protestations about local autonomy. When it suits this minister's purpose he can avoid a hot potato situation like the Pelham one and call on the shibboleth of local autonomy. But when it suits his purpose he runs roughshod over that local autonomy, as he has done with this bill.

This minister, Mr. Speaker, has engaged in a good deal of emotional talking about the rights of the children involved. He has flatly appealed to the better senses of the public, but he has done so falsely. He has said—and I am quoting directly: "Our primary motive is to ensure that pupils do not become innocent victims as a result of an impasse at a bargaining table."

The pupils are becoming victims because of the minister, Mr. Speaker, not because of the bargaining. Is our school system so custodial in nature, so fragile that we must forcibly keep the kids in school no matter whose rights are denied? If this ministry and this government view the custodial nature of our schools as so important, why the hell haven't they opened a province-wide system of child-care facilities for younger kids?

Interjections by hon. members.

Mr. Foulds: What educational deprivation takes place? Does a child suffer when he is

away from school for a week or two because he is ill? Do we not assume that child will catch up? In fact, Mr. Speaker, there was a very interesting article in the recent issue of Phi Delta Kappa detailing research results which indicate there is no appreciable effect on the children who were in the Philadelphia schools during the teachers' strike last year. The teachers were out for over a month. Some of the schools remained open, manned by some teachers. There was no academic difference between the children who attended school during the strike and those who were absent the whole time. Now what does that say about school systems in north America?

An hon. member: A great deal.

Mr. Foulds: When a kid is away for two weeks or his teacher is away for two weeks, do we not assume that the student can catch up? Teaching is an important and possibly the most vital service we provide our society. The learning experience is the most vital experience that we can provide an individual within our society. But it is not essential in the sense that we normally think of essential services, because the timing is not essential.

If a kid is not in school for a two-week period in January he will learn other things because he is out of school. In an 18-year span of education or a 13-year span of education, does he miss two weeks, three weeks or a month? There were two-week periods in school, Mr. Speaker, that you could have done without.

Mr. Deans: No, no, if he had missed two weeks he wouldn't have gone to school.

Mr. Lewis: On a point of order, the member for Port Arthur goes too far.

Mr. Foulds: I'm catching a bit of my leader's talent for hyperbole, Mr. Speaker, I apologize.

Mr. Lewis: Never, never; just an approximation.

Mr. Haggerty: Not that it's noticeable.

Mr. Bullbrook: That's wishful thinking of the highest order.

Mr. Foulds: Right, right. I said "a bit," a bit of his talent.

What kind of teaching, what kind of learning is going to take place in our schools in January in a school system manned by dispirited and demoralized teachers who have been forced back to work? This government is deceiving the public when it forces teachers back to work because it persuades the public that things will carry on; business as usual. But in the situation where you have teachers who have been forced back to work the system cannot possibly operate to its full educational capacity. It cannot possibly operate creatively and it cannot possibly be operating in any kind of normal atmosphere in which learning can fully take place.

This bill, Mr. Speaker, dramatically reveals the shallow view that this government has of education—that learning can take place by enforced attendance of pupils and by enforced attendance of teachers.

What the minister is afraid of is this: He's afraid that if he allows a number of our schools to close for any length of time, the ministry would then have to rethink the whole structure of education in Ontario. This minister and this ministry must avoid that at all costs, because both he and his ministry are unable to think of education in any other than statistical and mechanistic terms.

Hon. Mr. Wells: That's not true and the member knows it.

Mr. Lewis: That's exactly what the minister is doing.

An hon. member: The minister is a mechanical monster.

Mr. Foulds: I suspect this bill, even with its amendments rapped out on the typewriter in the editorial room of the Globe and Mail, is unenforceable.

How does the minister determine, how does the law determine, whether or not teacher resignations have been submitted "for the sole purpose of strengthening their negotiating position"? How do the courts decide other factors that came into play, even though those teachers may have submitted those resignations collectively?

There are all kinds of purposes, the most ridiculous but possible ones being that perhaps the teachers just wanted a two-week break, a kind of lay-aboutism. How do the courts decide that? How do the courts decide whether anger or frustration or just a certain accidie—a kind of weariness that inhabits the soul—is not one of the factors in the resignation? How can the minister force workers—

Mr. R. F. Nixon: What's accidie?

Mr. Lawlor: Tedium.

Mr. Foulds: A medieval term.

Mr R. F. Nixon: I thought it was a stomach upset. I still don't know what it is.

Mr. Foulds: How can the minister morally force workers to "continue their duties with the board in accordance with their contract of employment" when in fact the teachers in the vast majority of cases have had no collective agreement since last August?

This is bad and hasty legislation. It does not serve the teachers well. It does not serve the boards well. It does not serve the pupils well, and it does not serve the educational development of the schools in this province well.

Mr. Lewis: At all.

Mr. Foulds: This legislation does not serve the public well. This legislation must be withdrawn.

Mr. Drea: Mr. Speaker, if I could just digress for a moment.

Mr. MacDonald: The champion of the downtrodden.

Mr. Lewis: What is he digressing from?

Mr. E. Sargent (Grey-Bruce): He should take his hands out of his pockets.

Mr. Lewis: What will the galleries think?

Mr. Drea: Mr. Speaker, while going over some past Hansards in preparation for this debate, one of the things that struck me is that the last time when I was on my feet on the issue of compulsory arbitration, my friend—

Mr. Lewis: The last time he was on his feet!

Mr. Drea: —from Hamilton East (Mr. Gisborn) and I engaged in quite a debate. The reason I want to digress just for a moment at the start today, Mr. Speaker, is that I will sorely miss his gibes at me. I might not have agreed with them. They might have rocked me quite a bit. I certainly want to extend to him the best wishes of everyone in the House, that when we resume in February his voice in that seat will be heard loud and clear once again.

Mr. MacDonald: When he is back he will be heard. The member can bet his boots.

Mr. Drea: I certainly would hope that I would.

Mr. MacDonald: I am on the member's side this time.

Mr. Drea: Mr. Speaker, one of the fascinating things about this debate today and some of the events yesterday is I have been witness to probably the greatest conversion since Saul went on the road to Damascus.

Mr. Haggerty: He was a great reformer.

An hon. member: They haven't seen the light yet.

Mr. Drea: I don't really think the light came down. Day after day in the garbage strike in Metropolitan Toronto, right across in those front benches of that party, they asked, when was the Premier going to put in compulsory arbitration? The member for Downsview (Mr. Singer) started asking for compulsory arbitration on the garbage men of Toronto one day after the strike commenced.

Mr. Haggerty: But the strike was on.

Mr. Bullbrook: Let the member control himself.

Mr. Drea: And now the Liberal Party has suddenly found there have to be certain conditions applied, and so on and so forth. On page 57 of the debates of this session, very early on, here is the Leader of the Opposition talking about compulsory arbitration in the elevator strike.

Mr. Bullbrook: Just read what he says.

Mr. Drea: I am going to read it.

Mr. R. F. Nixon: **My criticism really is that the minister and the Premier of Ontario have not acted sooner in the capacities they have and with the powers they have enjoyed.**

Compulsory arbitration again.

Where is the Leader of the Opposition? Where was his voice when his friend, the Premier of Quebec, put the head of the teachers in jail for going on strike? Where was he? Where was his voice of protest that something has to be done about the teachers? Let's not say that the Premier of Quebec is not of his party. He stood in here in an orgasm of ecstasy on the night that he got more than 100 seats. And where was he when my friend Harvey Ladd had his loggers taken away from him in Newfoundland by another of his party? Where was his party then?

Mr. MacDonald: Don't forget Hepburn and Thatcher?

Mr. Drea: All in favour of compulsory arbitration. Down with the workers.

Mr. R. F. Nixon: He is getting around to Hepburn.

Mr. Drea: As a matter of fact, where was that party when the ordinary working man at General Motors wanted to organize? That party stood for sending the tanks to Oshawa. They regarded compulsory arbitration as radical then. You didn't even need a union or any right to bargain whatsoever.

Mr. R. F. Nixon: Is the member trying to say compulsory arbitration is bad? Why doesn't he say so?

Mr. Drea: Not I. The Leader of the Opposition is the one who is going to vote against it.

An hon. member: This is not compulsory arbitration.

Mr. Drea: The Liberal Party is going to vote against compulsory arbitration here because it's a political stunt. The minute any working man goes on strike in this province, they are going to say it's an essential service and put him back to work right away. That's what they are going to do and if they are not going to vote against compulsory arbitration, then let them stand up now and say that they won't.

Interjections by hon. members.

Mr. Drea: Oh, I am talking directly to the Leader of the Opposition. I have yet to hear him take a position on this. Then we have the Liberal Party. Where was he and where was his party? Where was this great party that believes in and heralds the civil rights of people and the right to withdraw their services? Where was he and his party in New Brunswick when the steelworkers were not allowed to organize? Not a word!

Interjections by hon. members.

Mr. Speaker: Order, please. Maybe the hon. member will get back to the bill.

Mr. Drea: I am talking about compulsory arbitration, Mr. Speaker.

Mr. Lewis: If the teachers were on strike and the Liberals were in power, we would have a War Measures Act.

Mr. Drea: The member is absolutely right.

Mr. Lewis: And the teachers would understand that.

Mr. MacDonald: Try the thrust of this argument on the government.

Mr. Lewis: We have been in agreement now for seven minutes with the member for Scarborough Centre and it is increasingly uncomfortable.

Mr. Drea: It's very uncomfortable, I am getting very worried. Mr. Speaker, this bill is intended to head off potential strikes in 16 school boards across the province.

Mr. Cassidy: Does the member favour that?

Mr. Drea: Yes. I favour no strike in the school system anywhere in Ontario.

Mr. MacDonald: Heading off strikes before they happen? He is the kind who sends for the fire engine before the fire starts.

Mr. Cassidy: He is anti-labour.

Mr. Drea: I suggest to the members that it would be irresponsible to wait for the fire to get to the third-alarm stage before we ring the bell and take precautions.

Mr. MacDonald: Oh, no.

Mr. Cassidy: He would have engines running around needlessly.

Mr. Foulds: Speak up!

Mr. R. F. Nixon: Just take a step back.

Mr. Drea: Mr. Speaker, let it be reported I didn't provoke this. They have now started it.

Mr. Bullbrook: He is the least provocative in the whole House.

Mr. R. F. Nixon: When is he going to start that aggression?

Mr. Beckett: When is the hockey game?

Mr. Drea: No, I don't say that about it. Mr. Speaker, as I said a few moments ago before the leader of the NDP and I, after 7½ minutes officially parted company, the intent of this bill is to prevent the withdrawal of services or a strike, same thing, in 16 school boards across this province.

Mr. Haggerty: State control.

Mr. Drea: Mr. Speaker: I suggest to you the fact that only 16 school boards are involved is an indication the ceilings have not inhibited free collective bargaining. If they had, Mr. Speaker, the number of school boards would have been much more; the total number of teachers who were affected would have been much more.

It seems to me if a school board as large and as complex as the Metropolitan school board, dealing with as efficient and as militant a group of negotiators as the teachers'

organization, can freely reach settlement acceptable to both sides, it is a little bit ludicrous to say the cealings have imposed such restrictions that both sides bargain with their hands tied behind their backs. I suggest that to say that is to say the negotiators for the teacher's organizations which dealt with the Metropolitan school board, in the vernacular, took a dive or signed a sweetheart contract.

Mr. Speaker, I do not believe that. I believe they bargained as hard and as efficiently as they could and they came up with a settlement which they brought back to their membership. While the vote was close, the majority of the membership saw fit to accept that particular settlement. Mr. Speaker, I suggest to you that while other boards have not had the fanfare or the publicity of that settlement in Metropolitan Toronto, the vast preponderance of boards and teachers' organizations in this province have settled and without the need to put it before those of us in the Legislature who are concerned about the rights of people who work for wages or salaries, regardless of whether they are in what is conventionally known as organized labour or in various associations, or federations, or what have you; it puts us in a very, very difficult position.

Mr. Speaker, I make no bones about the fact that I personally feel that teachers in this province should have the right to full collective bargaining. I have said that publicly to any teachers' organization or to any individual teacher who has contacted me in the last year or so since the Reville report became a matter of controversy, or of prominence in this province.

Mr. Cassidy: Those rights don't exist without the right to strike.

Mr. Drea: Mr. Speaker, I suggest to you and I suggest this to you most sincerely, that if I were to stand here and say, okay, let them strike, Mr. Speaker, I would neither be playing fair with anybody in this Legislature nor with the children of this province.

Mr. Foulds: So for a year—

Mr. Drea: Because in the back of my mind, just as it is in the back of the mind of the Leader of the Opposition, is the thought: "Let them strike; but we will be reconvening in this Legislature in one day to order them back to work.

Mr. R. F. Nixon: No, not necessarily.

Mr. Drea: The Leader of the Opposition wouldn't order them back to work?

Mr. R. F. Nixon: Not necessarily.

Mr. Drea: I know what he'll do—straight on with it. That's fine.

An hon. member: What are they coming back for?

Mr. Drea: The Leader of the Opposition would not order them back to work.

Interjection by an hon. member.

Mr. R. F. Nixon: Not necessarily. It is impossible for the member for Scarborough Centre to take his responsibilities seriously. He just wants to impose arbitration before the fact, that's his problem.

Mr. Drea: Oh, no. He wouldn't come back here in January to order them back to work?

Mr. Cassidy: What would the member for Scarborough Centre be coming back for?

Mr. Drea: What would we come back for?

Mr. Cassidy: We would wait until the 31st.

Mr. Lewis: We love it here.

Mr. Drea: The hon. member for Windsor-Walkerville went to the Leader of the Opposition on his hands and knees to try and get it straightened out; his leader now sits in here and says: "It is not essential. The world won't come to an end if it only lasts three days, four days, what have you." That is nonsense.

Mr. Deans: Why?

Mr. Drea: How do you, Mr. Speaker, establish a proper pupil or learning environment in a school when you are going to have a picket line outside or a pink list, or what have you? I have worked in an industry where there was a strike.

Interjections by hon. members.

Mr. Speaker: Order, order.

Mr. Drea: And once there is a strike in an industry, believe me, nothing is ever the same again in terms of human relations.

Mr. Lewis: That could be a very useful learning experience, as a matter of fact.

Mr. Drea: It may be a very interesting learning experience, but I don't want little kids to find out first hand about the class struggle and what happens when they get mixed up in things.

Interjections by hon. members.

Mr. Drea: They can find that out when they are 18, or 19, or 20. That is one of the privileges we ought to leave for a little while.

Mr. Speaker: Order.

Mr. Lewis: The kids who walked out in support of their teachers in Northumberland and Durham were learning something about the way society works. It was a useful thing for kids to learn.

Mr. Speaker: Order, please. Order.

Interjections by hon. members.

Mr. R. F. Nixon: He regards it as a class struggle. That's all he thinks it is.

Mr. Drea: I regard it as a class struggle? Me? I am like the Leader of the Opposition's worthy contemporary, Mr. Schreyer; I haven't read Marx yet, and I don't intend to. I don't even know what the class struggle is.

Mr. Lewis: Does he mean Groucho or Harpo?

Interjections by hon. members.

Mr. Drea: Well, if he is a devotee of Marx, that is an interesting admission.

Interjection by an hon. member.

Mr. Drea: No, I didn't know the Leader of the Opposition was a devotee of Marx. I am really quite flabbergasted.

Mr. R. F. Nixon: I read a lot of good authors. I even read Action Line.

Mr. Drea: Mr. Speaker, the reason for this type of this legislation is that quite simply I agree with the Minister of Education that teachers are in a different category.

Mr. Foulds: That is simple all right.

An hon. member: That is a real revelation.

Hon. Mr. Grossman: Well, it is a lot easier. He knows where he'll stand tomorrow. The Liberal members don't know that about their leader.

Mr. Drea: Mr. Speaker, I agree with the Minister of Education when he says that teachers are different.

Mr. Roy: We've heard that before. Step over one place and move back.

Mr. Drea: I always appreciate comments from the militant coward from Ottawa East who doesn't even know where he is at.

Interjections by hon. members.

Mr. Speaker: Order, order, please. I don't think the language was very parliamentary. I think it should be withdrawn.

An hon. member: Right. Withdraw it.

Mr. Drea: He or I?

Mr. Lewis: Can the member withdraw the word "coward"? It is not parliamentary.

Interjections by hon. members.

Mr. Cassidy: It is pretty apt, Mr. Speaker.

Mr. Lewis: A "militant coward" is not parliamentary.

Mr. Lawlor: A "cowardly militant."

Mr. Sargent: Take it back. Take it back.

Mr. Drea: If the member will be quiet I will. Mr. Speaker, I'll withdraw that remark.

Mr. Lewis: Why?

Mr. Drea: If accuracy hurts in here, I don't understand, but I'll withdraw.

Mr. Speaker, in this legislation we are not invalidating resignations that people put forward as a tool of negotiation. Mr. Speaker, I agree wholeheartedly with the position of the leader of the New Democratic Party, that what we are concerned with in this issue is the right to strike, and whether or not this government uses compulsory arbitration as a means of either avoiding or settling a dispute between teachers and boards of education. That is—

Mr. Lewis: It is rather more than that.

Mr. Drea: Not really.

Mr. Lewis: It is much more than that.

Mr. Drea: That is the crunch of the issue in 16 boards.

Mr. Lewis: Not at all, not at all. The crunch of the issue is the government's view of the teaching profession. That is the crunch of the issue and nothing other than that.

Some hon. members: No.

Mr. Drea: No. The issue in the legislation is plain and simple.

Mr. Lewis: No sir, it has very little to do with compulsory arbitration and a lot to do with the government's view of education.

Mr. Speaker: Order.

Mr. Drea: Mr. Speaker, we are not invalidating the resignations of those teachers in those boards who put them forward as a means of negotiating—or, to be quite blunt about it, Mr. Speaker, as a strike vote, which is a means of negotiating, against their employers which are the school boards. As a matter of fact in the amendments to the legislation that is quite well spelled out in detail.

Actually as a matter of fact what we are doing for those teachers—and bearing in mind that if there is no settlement we are imposing compulsory and binding arbitration—what we are really doing is we are protecting them from the arbitrary acts of the school boards which might decide to accept those resignations and say, "You are out; you're gone."

Interjections by hon. members.

Mr. Lewis: Doing them a favour.

Mr. R. F. Nixon: That is reaching. That is reaching.

Mr. Stokes: That is not what the minister said.

Mr. Drea: That is exactly what we are doing. Why are we saying then, "You can leave your resignation in until 30 days after the board of arbitration sends in its ruling"?

Mr. R. F. Nixon: That is baloney.

Mr. Stokes: We have more confidence in school boards across the province than the member has.

Mr. Drea: That is the intent of the legislation, that the teachers' negotiation weapon is there.

Mr. Stokes: The trustees will love him.

Mr. Lewis: It is at times like this that I wish the House were televised.

Mr. Drea: Mr. Speaker, those in this House who know something about collective bargaining and negotiation will realize that one of the tools is the strike vote.

Mr. Drea: In this particular case it is the mass resignation for negotiation purposes.

The reason for a strike vote, Mr. Speaker, since most of them are not required in the final analysis—and sometimes there are even two—is to show the employer that the people in the collective bargaining unit are united and determined behind the particular programme of negotiations they have put forward in front of the employer.

Mr. Speaker, last night, the Minister of Labour pointed out that 97 out of every 100 contractual negotiations in this province, either annually or whenever they are renewed, are settled without any resort to the strike weapon.

Mr. Deans: That is it exactly.

Mr. MacDonald: The member used to spend his time exaggerating the other three.

Mr. Drea: Just because the NDP likes strikes we are not going to accommodate them every day of the week and neither are the working people of this province.

Mr. Deans: We don't like strikes, we want free collective bargaining.

Mr. Cassidy: In a free and voluntary manner.

Mr. Drea: Mr. Speaker, the fact that the strike vote turns out to be so unnecessary because the ultimate weapon is not invoked, indicates that the taking of the vote—

Mr. Deans: The government didn't interfere.

Mr. Drea: —whether it is oral or whether it is by secret ballot, is an indication to the employer of the strength of the bargaining unit for particular negotiation purposes. That is all it is.

In this case the mass resignations are not resignations in that people intend to forfeit their teaching careers, or to move on, or to move into other occupations. It is a bargaining device that is intended to show the boards of education in those particular areas this year, just as it has in the past, that the teachers are united and are determined that they want certain conditions met in the contract that their negotiators are empowered to try to get out of the employer, or the school board. We haven't taken away that from them. Their resignations remain in those envelopes intact.

Mr. Lawlor: Subterfuge! Fiction! Comes to the same thing.

Mr. Drea: When it goes before the board of arbitration, the arbitrator, the one that is picked by the teachers' organization—and one of them will be—

Mr. Lawlor: It's the same issue; they have altered the wording. It's from the Globe and Mail typewriter.

Mr. Drea: —is fully aware of the number of people in the bargaining unit and how

they have expressed their concern about this, and this is one of the factors that he is going to take into consideration.

Mr. Lawlor: How does the member explain the way the government introduced the bill in the first place, then? He wasn't so much concerned about civil liberties then, was he?

Mr. Drea: Oh, I am always concerned about civil liberties, a little bit more than my friend.

Mr. Lawlor: He altered it in the last hour or so. But, he can accommodate himself quickly. Oh, chameleon!

Hon. Mr. Winkler: Listen to this.

Hon. Mr. Kerr: Is that parliamentary?

Hon. Mr. Grossman: He will be correcting Hansard next week.

Mr. Drea: How about a little withdrawal over there? It's okay when I do it—

Mr. Speaker: I'm sorry. I didn't hear the words used by the hon. member for Lakeshore. If some offence was taken, I'll be glad to listen to the hon. member. I really didn't hear what he said.

An hon. member: Just as well, Mr. Speaker.

Mr. Bullbrook: Would he repeat that?

Mr. Lawlor: A chameleon. It would be a darn nice thing to be, all chameleon.

Interjections by hon. members.

Mr. Speaker: Judgement of whether or not that is parliamnetary is beyond my competence.

Mr. Lawlor: I wish you would rise to the occasion.

Mr. Drea: Mr. Speaker, in some degree of reference the pronunciation of that word refers to a rather infamous politician in this country and I would appreciate it if it was withdrawn.

Mr. Lewis: What infamous politician?

Hon. Mr. Grossman: The member knows which one.

Mr. Speaker: If he has taken offence, I'm sure the hon. member for Lakeshore will withdraw the remark.

Interjections by hon. members.

Mr. Lawlor: I had meant to say hypocrite but I said chameleon instead. He thinks I meant Camilien Houde of Montreal. I withdraw everything.

Interjections by hon. members.

Mr. Drea: Wasn't he a Liberal, too?

Mr. Lewis: I remember when Elmer Sopha talked to Arthur Wishart about puisne judges. Remember that? This is the same problem.

Mr. Speaker: Back to the bill, please.

Mr. Drea: Mr. Speaker, that's why I suggest to you there's a particular clause in the bill. Those resignations are not deemed to be in the context of real resignations from the profession or from the board until 30 days after the arbitration award. The legislation recognizes them for what they are. They are a tool, and a very legitimate tool, to be used in collective bargaining with the boards of education.

Mr. Speaker, it has been suggested that we are premature in this legislation. Why are we going through all the trouble and turmoil now when all we have to do is return after the first of the year when we can deal with these things if they arise? Mr. Speaker, I suggest to you that the school children of Ontario and their parents look to us for a little bit more responsibility than to say, "If the fire breaks out we will come at that time." I suggest, for instance, if the police were threatening to strike and we did not take steps in advance, we would be held accountable for what happened while we had to make up our minds and while we had to go through the deliberations to send them back to work.

Mr. Deans: There is already compulsory arbitration.

Mr. R. F. Nixon: It is a different matter.

Mr. Drea: Mr Speaker, I am not one of those who believes "So what if the kid is off for 13 days? What does it matter in the big picture?" If that is what it is, Mr. Speaker, I suggest maybe we had better change the education laws of this province.

Mr. Foulds: Right on. Change the whole system.

Interjections by hon. members.

Mr. Drea: Maybe we had better say to the young children of 6, 7 and 8, "if you don't feel like going to school today, kid, don't go because it doesn't mean very much." That's a ridiculous statement, Mr. Speaker, but it is just as ridiculous to say the teachers can close

the schools with a strike and it will have no impact whatsoever upon the children who go there in the morning and find the place is locked because the teachers and their board of education cannot agree upon a new contract. For the life of me, I cannot understand how someone can say that 13 days off school is not the end of the world. If it isn't the end of the world, why the howls last year, one after another, for the Minister of Education to send somebody to Windsor to get it cleaned up and straightened out?

Mr. Cassidy: The schools are closed for 12 days every year by law and that doesn't harm them.

Mr. Foulds: The Minister of Education—

Mr. Speaker: Order!

Mr. Drea: Mr. Speaker, I have sat here this afternoon and I have listened to the Leader of the Opposition say he was going to pose some alternatives. I may be misjudging him but the only alternative I heard was to withdraw the bill and that somehow the Premier of this province could go around—

Mr. R. F. Nixon: That is just what he could do.

Mr. Drea: —and in the spirit of mediation, conciliation, good fellowship and, I suppose, Christmas cheer somehow persuade the teachers and those boards of education that they should settle their differences amicably.

Mr. Roy: It's worth a try.

Mr. Drea: I suggest to you, Mr. Speaker, once again that is a gratuitous insult to the people in the teachers' organizations who are trying to negotiate in good faith.

Mr. Roy: He doesn't think much of his Premier.

Mr. Drea: I also think it is a gratuitous insult to the boards of education. In most of the cases, Mr. Speaker, I do not agree with the stands taken by the boards of education, but I think it's a gratuitous insult to their negotiators. I may be naive, Mr. Speaker, but I like to believe those 16 boards, and management, as represented by the board of education, and the school teachers, as represented by their organization, are negotiating in good, albeit hard, faith.

Mr. Lewis: Not any more.

Mr. Drea: I suggest to members that if all that was needed was somebody to go around and glad hand and say, "Pick up your responsibilities"—I don't believe that.

Mr. R. F. Nixon: He couldn't do it.

Mr. Drea: I believe both sides have been trying. And while they cannot agree, they have been trying to accept their responsibilities; and perhaps that is one of the reasons for the impasse that so far shows no sign of being avoided or terminated by direct negotiation.

Mr. R. F. Nixon: It's better than shooting them down in flames.

Mr. Drea: Mr. Speaker, we have heard today that this has put handcuffs on those who would like to negotiate further and who honestly feel that they can arrive at a settlement by the end of this month in time to avoid the closing of schools in a particular area in January.

If that is so, Mr. Speaker, then how could the Schreiber and Terrace Bay Separate School Board come to a settlement the very day that this bill received first reading? How could it be now that the Huron-Perth Separate School Board has asked for a mediator?

Mr. Stokes: By meaningful negotiations. They settled in spite of this legislation, not because of it.

Mr. Drea: How could it be? If this bill handcuffs everybody so much, Mr. Speaker, why is it in two days we have one settlement and one set of negotiations going forward into mediation when at the start of this week both of those were hopelessly deadlocked?

Mr. Stokes: They were not. The member doesn't know what he is talking about.

Mr. Drea: I suggest to you, Mr. Speaker, one of the reasons those are going forward now is because this bill was introduced yesterday—

Mr. Cassidy: They abandoned negotiations in Carleton the day the bill came into the House.

Mr. Drea: —and this bill has been amended today.

Mrs. Campbell: Yes.

Mr. Drea: And I think if there is no other alternative, Mr. Speaker, than to withdraw the bill and to go around glad-handing and patting people on the head and saying, "Accept your responsibilities"—

Mr. Roy: Doesn't the member have faith in his leader?

Mr. Drea: —I suggest to you, Mr. Speaker, that there is a lack of alternatives in the opposition party. And at the risk of having to withdraw again, I shall make a collective assertion—

Mr. Roy: The member is insulting his leader.

Mr. Drea: The opposition party demonstrates intellectual bankruptcy when it comes to any of the problems that deal with those who work for wages and salaries.

Mr. R. F. Nixon: That's quite parliamentary. It is wrong, but it is parliamentary.

Mr. Drea: As a matter of fact, it's been intellectually bankrupt since the days of Mr. Hepburn, who is one of the great folk heroes of that party.

Mr. Roy: That's out of order. That is not on the bill.

Mr. Drea: I think it's very much on.

Mr. Bullbrook: Tell us again about the tax in Ottawa. That kind of touched my heart.

Mr. W. Newman (Ontario South): Has the member for Sarnia read that book?

Mr. Drea: I have heard that the key is in the hands of the Premier by personal negotiation. Mr. Speaker, do you really believe that if the Premier had that much power or that much persuasion, that the Premier of this province, who is second to none in North America in what he has done in the field of education—

Mr. R. F. Nixon: In the universe!

Mr. Drea: —that the Premier of this province, my leader, would just sit back—

Mrs. Campbell: What has the member done?

Mr. Drea: —and let the situation come to the point where we have to impose—

Mr. R. F. Nixon: He wants to impose!

Mr. Foulds: He has to impose!

Mr. Drea: —and there is not a Conservative here who imposes this without a great deal of sadness—

Mr. Foulds: The member should get off his knees.

Interjections by hon. members.

Mr. Drea: If all of this could be done by the Premier, is it not logical to assume that the Premier would have done it months ago?

Interjections by hon. members.

Mr. Drea: Mr. Speaker, I suggest to you that there is no key in the hands of the Premier—

Mr. R. F. Nixon: It is. Why hasn't he used it?

Mr. Drea: —that all the good offices of this government have been used and that they have not been successful.

Mr. Bullbrook: The government members have got all the good offices. They should see mine!

Mr. Drea: Every honest effort of the Ministry of Education has been used, and they have not been successful.

Mrs. Campbell: That surely says something about the government.

Mr. Drea: It may say something about the government, but I suggest to my friends in the Liberal Party that as people who have suddenly been converted to the rights of the individual, particularly when it comes to a strike—

Mrs. Campbell: Suddenly?

Mr. Drea: Collectively, suddenly. They voted on Monday—

Mrs. Campbell: Who did?

Mr. Drea: Was the member not here?

An hon. member: Who did?

Mr. Drea: She abstained? I see.

An hon. member: She got out.

An hon. member: That's because she didn't agree.

Hon. Mr. Grossman: Wasn't she lucky?

Mr. Drea: She abstained?

Mrs. Campbell: I was just pointing out the member's inaccuracies.

Mr. Speaker: Order.

Mr. Drea: But she would have voted with us if she had been here on Monday, because she would have followed her leader.

Mr. Haggerty: Where were 20 of the government members?

Mrs. Campbell: Stay around for my speech.

Mr. Drea: I will.

Mr. Speaker: Order please.

Mr. Drea: I hope that the member is going to accept her responsibilities and vote with us tonight.

Mr. Speaker, it has been suggested that what is really happening is the Minister of Education is imposing a form of state-controlled organization upon the heads and upon the backs of the teachers.

Mr. Haggerty: That's worse than—

Mr. Drea: Mr. Speaker, I can understand why that would come from the people opposite. There is one party opposite that has set up the only state-controlled labour organization in North America north of Cuba. I think that is what happened to my friend, Harvey Ladd in Newfoundland, and it certainly wasn't a Conservative government that did it.

Mr. Roy: This bill has nothing to do with Harvey Ladd. He is out of order now, Mr. Speaker.

Mr. Speaker: Yes, I wish he would relate his comments to the bill.

Mr. Drea: Mr. Speaker, the words used were that we were imposing controls. We are not imposing any controls.

Mr. R. F. Nixon: Wage controls.

Mr. Drea: This party and this government have sat back and we have watched most of the collective bargaining negotiations concerning teachers and their boards in this present contractual term. We have watched most of them be settled. We are now at the point where there are a number that cannot be settled, and probably they will not be settled by the end of the year. That is why we are bringing in this legislation.

Mr. Cassidy: You wouldn't know unless you let it go to the free-bargaining process.

Mr. Drea: I suggest to you, Mr. Speaker, it would be very easy—and I will admit that I gave this a considerable amount of thought, at the urging of some teachers' representatives from my own area—it would have been very easy for this government to proceed with second reading of this bill and then not go on to third reading.

Mr. Deans: It would also be wise.

Mr. Drea: I think we could have established the principle that we would act very quickly if there was a cessation of work, and if the children were not allowed to go to school.

Mr. Foulds: Sure.

Mr. Lewis: Of course.

Mr. Drea: Mr. Speaker, that would be taking the coward's way out. I don't really think we could have looked the public in the eye by saying, "We have told the boards and the teachers exactly what we will do if they dare to use their prerogative of either having services withdrawn or not providing the facilities for the services that would be provided."

That would be the easy way out, you see, Mr. Speaker—and this may be lurking in the back of the Leader of the Opposition's mind—because if the schools were closed down, if the kids couldn't go to school and the teachers were out on the street, the public would have been jumping up and down outside of this building and saying, "Call back the Legislature. Get it settled."

As the first speaker for the NDP said, they would have been in the position of not supporting a very popular cause. This government would have been in a position on the side of the angels; the public would have wanted us to order them back at all costs.

I suggest to the Leader of the Opposition his party would have thumped the desks and voted with us to order them back to work. And he knows it.

So far, I haven't been able to get out of him what his party would do if the teachers went on strike.

Interjections by hon. members.

Mr. Worton: The member hasn't asked.

Mr. Drea: This is about the fifth time, and the silence indicates—

Mr. Deans: He is being repetitious, Mr. Speaker.

Mr. Drea: —that maybe the Liberals don't know. Maybe they are keeping their own counsel; they don't have to tell me.

Mr. Deans: The member already knows.

Mr. Drea: But surely the official opposition has an obligation to the people of Ontario, to the teachers and the kids, to let it be known what it will do if there is a strike.

Hon. Mr. Grossman: What would the Liberals do?

An hon. member: The member asked that before.

Mr. Deans: He already knows what they would do. Don't ask again.

Hon. Mr. Grossman: What would they do?

Mr. Deans: They've already said what they would do.

Mr. Drea: Not really. I like yes or no.

Mr. Deans: No.

Mr. Lewis: No.

Mr. Deans: He wants yes or no; we said "no."

Mr. Drea: Mr. Speaker, I suggest to you it is very easy to be doctrinaire in a case like this.

Mr. Deans: Especially if you are a Tory.

Mr. Drea: One of the interesting things about being doctrinaire is that you can always suit the circumstances to fit around the doctrine. I suppose that is why we have come to the interesting concept that even if the schools are closed for a long time it is part of the total learning experience. Therefore the parents and the children are supposed to be grateful that this labour dispute was thrust upon them because it will give everyone concerned an indication as to how to cope with it if it comes around a second time. That is really doctrinaire.

Mr. Speaker, I think that is enough of the kind of stuff that might be causing some of the people who wrote the Regina Manifesto to turn over in their graves with a little bit of the lightning bolt coming down, because that was not the way they saw it. I suggest to you that if we were to be doctrinaire in this government, we would come in with a bill that would exemplify everything that has been in the three editorials in the Globe and Mail: We would take away the teachers' right to strike; we would take away their right to mass resignations; we would define the working day—I love this—we would define the working day and the working conditions of the teachers.

Mr. Lewis: Right. The member would accept everything, even their resignations.

Mr. Drea: We would. This is what's being urged upon us, to be very doctrinaire. In short, we would set up a state or a provincially-controlled organization which would dominate the teacher from the time he entered teachers' college or university—

Mr. Lewis: That is exactly right.

Mr. Drea: —until he went to the grave because the controls would naturally——

Mr. Foulds: That is exactly how the government is heading.

Mr. Drea: —extend to the teachers' superannuation fund.

Mr. Lewis: That is how the government is going.

Mr. Drea: If we were doctrinaire this would be the opportunity for us to really control the profession—

Mr. Foulds: He thinks Edmund Burke is still alive.

Mr. Drea: —from maturity right to the grave. Mr. Speaker, we in this government are not doctrinaire. We are meeting the circumstances at a particular time in December, 1973, in the Province of Ontario affecting a limited number of boards.

Mr. Lewis: That's right. The member must ask himself why are all the teachers up in arms.

Mr. Drea: They are at an impasse. On the one hand, we have an obligation to children. Somebody has to stand up and support the rights of children who have no voice of their own.

Mr. Lewis: That argument is the last refuge of the scoundrel.

Mr. Drea: Someone in here has to speak for the parents who expect their children to be educated.

Mr. Speaker, in this party we have the Minister of Education who has spoken very eloquently for both the children who are affected and their parents.

Mr. Lewis: The only person who is affecting the children is the minister.

Mr. Drea: Mr. Speaker, I suggest to you that to vote against this bill is to vote in favour of allowing labour disputes and strikes to interrupt the school year as part of the total learning experience.

Mr. Foulds: Don't the summer holidays interrupt the school year?

Mr. Drea: It is voting against the principle that those who do not have a very profound voice in our society—the children who are going to school—deserve, at least until the time of their maturity, some protection to make sure that the educational facilities they require to go on and to work and—

Mr. MacDonald: Paternalism run rampant.

Mr. Drea: —to cope with all the complexities and sophistication of our society are there. If the members are going to say, "Let the teachers go out; let the schools close," I suggest—

Mr. Ferrier: It's nice to know he is not against motherhood, anyway.

Mr. Drea: —that this government and this party would be very derelict in its duty to those who have benefited enormously from the finest education system anywhere in the world.

Mr. Lewis: This government is derelict.

Mr. Foulds: Speaking of derelicts.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I rise to support my leader in opposition to the bill in discussion before us.

Mr. Stokes: He didn't support him on Monday.

Mr. B. Newman: Mr. Speaker, it is customary in this House to give first reading to practically every bill ever introduced.

Mr. Deans: Except if one knows in advance what it's about and disagrees with it.

Mr. B. Newman: In the number of years I have been in this House I have only twice seen a bill on which there was a division of the House on first reading.

Mr. Stokes: But the member was ready. He knew what to do.

An hon. member: He stayed out.

Mr. B. Newman: Mr. Speaker, it's a pretty tough act to follow the member for Scarborough Centre He is always able to interject—

Mr. Lewis: No, he isn't. It's sheer delight.

Mr. B. Newman: —a certain amount of humour into his comments. Quite often there isn't too much sense in them but, at least, there is some humour.

Mr. Lewis: Right.

Mr. B. Newman: Mr. Speaker, the difficulty the educational system of the Province of Ontario finds itself in today is the result of the wild spending of the present Premier during his days as Minister of Education.

Hon. Mr. Grossman: Now he spends too much.

Mr. B. Newman: As a result of that, restraints have been imposed on education by the present minister. Boards have been accustomed to getting all the funds that were necessary and now find themselves in a straight jacket. Many of the school boards throughout the province are unable to meet a lot of the demands for quality education.

Mr. Handleman: Spoiled children.

Mr. Lewis: Spoiled children, did the member say?

Mr. B. Newman: The legislation we have in front of us, Mr. Speaker, was panic legislation. That was clearly evidenced by the fact that the minister had to come into the House today and introduce a whole series of amendments, in addition to actually withdrawing the whole principle of the bill. Really, he should have introduced completely new legislation because the principle of the bill had been altered.

An hon. member: No, no.

Mr. B. Newman: Mr. Speaker, never before in the history of the Province of Ontario have we seen so much discontent among a segment of our society as we have seen since the days that the member for Scarborough North has become Minister of Education.

Interjections by hon. members.

Mr. B. Newman: There is ferment throughout the school system; there is discontent; there is dissatisfaction. There is such a commotion in the school sytsem as a result of the policies of this government that the teachers have no other recourse but to follow the action that they contemplate taking.

Now, Mr. Speaker, you can rest assured that on Monday when this bill was introduced in the Legislature, teaching stopped in our school systems, especially in the 17 or so boards that have handed in their resignations. The teaching stopped in those school

systems. The whole concern of the teachers was the introduction of legislation taking away from them—or rather, making null and void their resignations.

You can rest assured too, Mr. Speaker, that this legislation had the teachers in those boards that were affected completely disturbed and ill at ease; but also that other teachers throughout the system likewise found themselves in a most dissatisfied and difficult position.

Mr. Speaker, the fact is that five different teachers' organizations—for I think probably the first time in the history of teachers' organizations—became solidified in their opposition to the bill. I don't know if ever again we will find such solidarity and unity among the teaching profession.

I think though, Mr. Speaker, that this is going to lead to a more vigorous approach, a greater militancy, and a greater determination on the part of the teachers to get for the profession what is rightly theirs.

Mr. Speaker, the teachers thoughout the province today, I would be safe in saying, are discussing the ramifications of this legislation. I would think from now until the bill gets royal assent, the big topic of conversation and the main interest may not necessarily be the teaching of their students; but their minds will be on the legislation that this ministry and this government intend to ram through in the next day or so.

Mr. Speaker, one of the things I find completely distasteful—and I found it distasteful with the minister as well as the member for Scarborough Centre—is that the ministry is using pupils as pawns in this battle. They are trying always to intimate that we are trying to deprive the students of the right to obtain an education; that we are thinking only of the interests of the teachers. Let me tell you the teachers are just as concerned about the students and the fact that the students may not have the opportunity to return to a classroom. The teachers want the settlement of their issues.

This situation is a result of the ministry's delay in introducing meaningful teacher-board negotiation procedures when they have had the Reville report well over a year. They could have used it—not necessarily accepting it—but used it in an attempt to bring down meaningful legislation, or bring down a meaningful bill. It could have been left on the order paper in June of this year. There could have been input made by the various teaching professions, or the various teaching organizations and boards of educations, and others concerned; and when we returned in October we could have had legislation that would have met with acceptance, or possibly would have met with acceptance, by all concerned.

It being 6 o'clock, p.m., the House took recess.

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No. 168



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Wednesday, December 12, 1973

Evening Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

MINISTRY OF EDUCATION ACT
(*continued*)

Mr. Speaker: The hon. member for Windsor-Walkerville had the floor when we recessed at 6 o'clock.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. Before the 6 o'clock break I had been attempting to point out to the minister the great concern we in the Liberal Party have on Bill 274.

I had expressed the view at that time that we were not only strongly opposed to the bill as it was originally presented, but also to the bill with its new amendments. The first one names the 17 boards to which this legislation applies and the second amendment changes the wording "that the resignations of teachers submitted on and after Sept. 1, 1973, are void" to "that the resignations of teachers submitted on and after Sept. 1 are not effective until Aug. 31, 1974."

You will note, Mr. Speaker, that the minister omitted in the second or new amendment the word "void." With one fell swoop the minister has taken away from the teachers the only legal sanction that they had. The teachers expressed their deep dissatisfaction, their great concern and their still sincere desire for meaningful bargaining.

To be a bit parochial, the teachers in the Windsor area followed the letter of the law, and they have always followed it in their negotiations with their board. They have always done everything within their legal rights. Now, Mr. Speaker, the minister has taken away from them the right to resign from their occupation.

The hon. minister has not been fair with the teachers, for it is only one week ago that he assured them that he would not interfere with their right to bargain collectively with their employer. Now, Mr. Speaker, he introduced this bill as a bolt out of the blue on Monday and has forced compulsory arbitration on them.

Mr. Speaker, in the Windsor area the board has already accepted the resignations of all of the teachers. With the new legislation, I know that that will not be effective at all and the teachers will have to continue in their present positions.

I would think, Mr. Speaker, that had the minister attempted to encourage the boards to use the services of his mediators, many or perhaps even all of these boards that have not arrived at a settlement might have been able to reach a meeting of purpose and perhaps get back to discussing their differences before the commencement of the new year. There are still 21 days available, Mr. Speaker.

The Federation of Women Teachers' Associations of Ontario, in a telegram to the minister last Saturday, Dec. 8, asked the following—I am reading from the telegram:

THE BOARD OF DIRECTORS OF THE FEDERATION OF WOMEN TEACHERS' ASSOCIATIONS OF ONTARIO URGES YOU NOT TO RESPOND TO PRESSURE FROM THE MEDIA AND OTHER SOURCES TO INTRODUCE LEGISLATION ON TEACHERS' COLLECTIVE BARGAINING WITHOUT FURTHER CONSULTATION WITH THE ONTARIO TEACHERS' FEDERATION. WE RECOGNIZE THAT MASS RESIGNATIONS IN MANY PARTS OF THE PROVINCE ARE A MATTER OF GREAT CONCERN BUT WE FEEL STRONGLY THAT HASTY ACTION IN THE MIDST OF THIS SITUATION MIGHT LEAD TO UNACCEPTABLE LEGISLATION WITH UNFORTUNATE LONG-TERM RESULTS.

Mr. Speaker, they must have had some information as to what the minister contemplated. Otherwise, such a telegram would not have been sent out by Mary Hesser, the president of the Federation of Women Teachers' Associations of Ontario.

The president of the Ontario English Catholic Teachers' Association, Mr. Robert Cooney, upon the introduction of this most distasteful and anti-teacher legislation ever introduced in the province of Ontario's history, had the following comments—I'm not going to read all of the comments; I need only read parts of them, Mr. Speaker. In a telegram, he mentions that they regard as morally reprehensible the retroactive nature of the legislation; they also say the imposition of compulsory arbitration where neither health nor life are endangered is totalitarian in this respect, and that the democratic

rights of teachers have been taken away from them.

Mr. Speaker, surely you are aware that Bill 274 violates the basic democratic right of free collective bargaining. I am sure you are also aware that this hasty action on the part of a ministry has done serious damage to student, to teacher, to board, and to ministry relationships.

Mr. Doug Knott of the Catholic teachers' association makes comment in a recent press release and I am reading from his comment:

> We have been engaged in serious discussions for a cost of living increase and the minister has sabotaged them. In three areas, Wellington, Ottawa and Sudbury, we were already considering going voluntarily to mediation but now the minister wants to impose compulsory arbitration on us.

Mr. Speaker, back in 1972, we had an outstanding case of the inability of a board and the teachers to arrive at a settlement of their contract. This was the case of the Windsor teachers with their board. The teachers did submit their resignations. They did not return to the classroom after the new year—that was this year, 1973. In fact, they stayed out for approximately three weeks, and I understand that it was the longest teacher holdout in Ontario history.

They did return, Mr. Speaker, as a result of the intervention of the minister and they did submit their contract dispute to binding arbitration, but this was the first time such a method had ever been used to settle a teacher-school board contract. However, in the course of the proceedings, they have come to the conclusion that, unless there are no restrictions on the arbitration board as to what it can discuss or have discussed and what it can call for, there can be no meaningful arbitration or no meaningful presentation. The arbitration board in this case was required to make an award "of such a nature as to enable the board of education to develop a budget that is within the spending ceilings established by the Ministry of Education for the years in question."

Mr. Speaker, how can you have meaningful negotiations when the board makes mention that it does not have sufficient funds to meet the request of the teachers but there is no way that the teachers can find from the board whether the figures it submitted are accurate or not? The books have to be placed on the table. They have to be available to both parties and they have to be able to resolve the problem by obtaining factual information.

The legislation we have now, because the ceilings cannot be broached, means that teachers are subjected to a wage control, a wage freeze. In none of the segments of our society today, other than hospital workers, do we have wage controls imposed upon a select or a given group. Such controls are reprehensible. I would strongly suggest and request that the minister withdraw this ill-advised, ill-conceived piece of panic legislation. By it he has completely destroyed local autonomy in education.

You are aware, Mr. Speaker, that some boards might have been willing voluntarily to request arbitration. This legislation precludes that. Some boards, likewise, might have been willing to raise additional funds through their own taxation avenues, but because of the restrictions of the compulsory arbitration, they are denied that right. I would ask the minister in the Christmas spirit to withdraw this bill, to bring harmony back into education and to bring harmony back into the student-teacher-board as well as ministry relationships. The least the minister can do, if he does not intend to withdraw this legislation, is to see that it is referred to the standing committee on human resources so that at least all parties concerned can have some input into the various clauses of the Act; so at least the teachers and boards and other interested groups can make presentations to this standing committee.

If it comes to the committee of the whole House, all outside parties, other than members, are barred from making any type of presentation. Mr. Speaker, I hope that the minister will follow the suggestion of my hon. leader and withdraw this legislation.

Mr. Speaker: The member for York South.

Mr. D. C. MacDonald (York South): Mr. Speaker, may I say at the outset that I have no particular inclination to call for the resignation of the minister.

Mr. W. Ferrier (Cochrane South): We just want the whole government.

Mr. MacDonald: The whole government should resign, not just the minister, and particularly the member for Algoma (Mr. Gilbertson).

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): Call an election.

Mr. Speaker: Order. Order, please. Order.

Mr. Stokes: Let the government put its popularity on the line.

Mr. I. Deans (Wentworth): Will the Speaker bring this rabble to order? They are interrupting my colleague.

Mr. R. F. Nixon (Leader of the Opposition): Middlesex will be all right.

Mr. MacDonald: Mr. Speaker, I personally have lost any particular inclination to plead any longer on my knees, prostrate or otherwise, that it be withdrawn because this government now has to save face. The only way it is going to be withdrawn is if the Tories in the back benches have the guts to respond to the people back in their home constituencies. I haven't yet seen enough evidence of it because they have been whipped into line in support of it.

Mr. R. F. Nixon: They don't even know what is going on.

Mr. MacDonald: They will just have to live by the consequences of it.

Mr. Deans: What he is saying is they are a gutless bunch.

Mr. Speaker: Order, please. Order.

Mr. Stokes: When will I read all these telegrams from Algoma?

An hon. member: Or Desbarats?

Mr. B. Gilbertson (Algoma): Wait until I read the ones from Thunder Bay.

Mr. Deans: Wait a minute, we know the member can't read.

Mr. Gilbertson: Don't be so insulting.

Mr. MacDonald: Mr. Speaker, rumour has it that unlike the normal copping out procedure of the government on controversial legislation there will be a government spokesman for every round including Opposition spokesmen. If that is the case, we are going to have a long debate.

Mr. R. F. Nixon: That would be just great. We are going to hear the member for Algoma.

Mr. MacDonald: Yes. The House leader, who thought he was going to close the Legislature last Friday is going to find it will be this Friday or, great heavens, he may even find it to be the following Friday, on the eve of Christmas.

Mr. R. G. Eaton (Middlesex South): I hope more NDP members come back than were here last Monday.

Mr. Speaker: Order, please. Order.

Mr. MacDonald: We will be here, because the people are finally on the government's trail.

Mr. Eaton: Remember that vote, 64 to 11?

Mr. MacDonald: I know the member is a slow learner, but sooner or later he will catch on.

Mr. Deans: Even with him in the room it is empty.

Mr. Speaker: Order please.

Mr. MacDonald: Because of the length of the debate I foresee, Mr. Speaker, I don't intend to speak at great length but there are two or three basic points I do want to make. My colleagues and others from this side of the House are undoubtedly going to build the overwhelming case which should persuade any reasonable people, if there were such on that side of the House.

The first point I would like to make, Mr. Speaker, is this: This government is engaging in a bit of political posturing which I think should be unmasked. The minister, when he first talked about this bill—he doesn't know what I am talking about so he shouldn't mumble until he has heard it.

Hon. T. L. Wells (Minister of Education): I know what the member is talking about. He is the greatest posturer around here.

Mr. MacDonald: We will just find out to what extent I have got some competition.

Mr. M. Cassidy (Ottawa Centre): That's right.

Mr. MacDonald: When the minister introduced this bill he wrung his hands and tried to convince himself, his colleagues, and the world that he was doing this more in sorrow than in anger. Even this afternoon, said he once again he wasn't happy; it wasn't a pleasure for him to do this.

The Premier (Mr. Davis) has done the same thing. He taunted the Liberals for their rather belated recognition of the contents of the bill, even though they had been flatly told what the contents of the bill were. It was like Pierre Trudeau, who said, "I've got enough intestinal fortitude to stand up to six per cent unemployment." You know, it's

possible for him to stand up to six per cent unemployment—

Mr. W. Hodgson (York North): What about David Lewis, though?

Mr. MacDonald: —if one has got enough intestinal fortitude to stand up to the issue. The image is that they are doing this reluctantly, and that is the posturing.

Interjections by hon. members.

Mr. MacDonald: This government is introducing this legislation because increasingly it is the centrepiece of its philosophy and its policy with regard to workers and public servants.

Mr. E. W. Martel (Sudbury East): Right on. Right on. Ask the elevator workers.

Mr. MacDonald: They seize every situation they can to impose this kind of legislation. They don't wait for the event. To borrow the analogy of this afternon, the minister is like the firefighter who doesn't wait for the fire to start, he goes out and starts it himself. It's a sort of make-work procedure. He anticipates events.

Mr. Speaker, some of the hon. members here who make the most noise weren't around for an earlier chapter that I'd like to remind them of. It shows you the way this government works. It is a shameful chapter in the record of this government.

Mr. W. Hodgson: The hon. member used to be the leader of his party. What happened to him?

Mr. MacDonald: Back about the year 1964, in another group of public servants, namely the hospital workers, a strike situation developed in the city of Trenton. An arbitration board had been set up. The chairman of the arbitration board was an impartial arbitrator, with the normal management and labour representatives on his board; he, along with the labour representative, wrote one of the most scathing majority reports that ever came down from an arbitration board. They said the management of the hospital in Trenton was arrogant, ignorant of the law and defied the law of this province.

They thumbed their nose at the minister when he invited them and the workers to come up and negotiate in his office. They just weren't going to do anything, in spite it was the fact that it was the law of the Province of Ontario.

Therefore, the union had no alternative but to move inexorably towards the first hospital strike in this province. The strike was set for midnight on the last day of September, 1964.

On the eve of that strike, two honourable civil servants whose integrity everybody recognizes—namely, Tom Eberlee, who was the Deputy Minister of Labour, and Louis Fine, who was the chief conciliation officer—on behalf of the minister gave a written statement to the union and said, "If you will postpone your strike, we will seek to negotiate a settlement of this. And if we can't get a settlement from this recalcitrant management, in the forthcoming fall session of the Legislature we will bring in a bill to deal with this case alone."

Need I remind you what happened, Mr. Speaker? The Tory cabinet pulled the rug out from Les Rowntree, the Minister of Labour. They repudiated an honourable agreement, a statement signed by two top civil servants in this province. And instead of dealing with the one hospital situation in Trenton, they imposed a straitjacket of compulsory arbitration upon hospital workers all across this Province of Ontario.

Some hon. members: Shame. Shame.

Mr. MacDonald: That is the centrepiece of their philosophy in terms of labour-management relations.

Hon. A. Grossman (Minister of Revenue): There were other facts involved.

Mr. Deans: And look at the wages of hospital workers today!

Mr. MacDonald: They are about to do it, now that they've got the Reville report, as far as teachers are concerned. They have already done it in the instance of civil servants.

Mr. Deans: They are disgusting.

Mr. MacDonald: This is their approach. I say to the minister he mustn't get up there and posture, wringing his hands—

Hon. Mr. Wells: We are not posturing.

Mr. MacDonald: —saying that he is doing this more out of sorrow than in anger. He is doing this because he has a gut feeling that this is the kind of thing that should be done: to put the workers, whether they be professional workers or industrial workers, in their place.

Interjections by hon. members.

Mr. J. F. Foulds (Port Arthur): The minister is stirring up anti-teacher sentiment, and he knows it.

Mr. MacDonald: Mr. Speaker, we are opposed to this kind of proposition. We were opposed to it in the instance of the Trenton strike. We were opposed to it in the instance of the public and civil servants. We were opposed to it in this instance. We didn't take overnight to find out what it was all about when we were told by a man whom we knew believed it, because we know the minister believes this. It may take the Liberals 24 hours to make up their minds, but we know the minister believes it. The Liberals are wafflers; the government is the menace. That is the problem.

Mr. Foulds: We know who the enemy is.

Mr. MacDonald: They are the people who are the threat to these fundamental rights. They are willing to dash them, to ride roughshod over them overnight.

Mr. Ferrier: That's what they are doing.

Mr. MacDonald: The minister sits there and shakes his head with all the innocence of a teenager; smiling, shakes his head.

An hon. member: Let's go back to the bill.

Hon. Mr. Grossman: We'll see if he is going to get an Oscar for this.

Mr. MacDonald: Go back where?

Mr. Deans: The member has never listened to anyone, that is his problem.

Mr. Speaker: Order, please. Order.

Hon. Mr. Grossman: The member is being provocative.

Mr. Speaker: Perhaps he would control the exuberance of his verbosity.

Mr. MacDonald: Me?

Hon. W. A. Stewart (Minister of Agriculture and Food): Even reduce it a little.

Mr. MacDonald: I'm glad, Mr. Speaker, you said that with a smile otherwise I would think that some of your associations in the past had overwhelmed you momentarily and you weren't seeing this impartially.

Mr. C. E. McIlveen (Oshawa): Don't make him worse.

Mr. MacDonald: There's a second point, Mr. Speaker, I want to touch on, perhaps in quieter tones, since that is what you apparently seek for the moment.

I was very interested in the government's wrestling with that clause in the School Administration Act which spelled out in almost unbelievably Victorian terms the responsibility of a teacher and of the educational system to teach moral standards and respect for the law and the basic rights of freedom. That was reshaped so some of its most obnoxious Victorian overtones were eliminated and it was restored recently in the amended Schools Administrations Act

Mr. Speaker, what does this governmem think it has achieved by treating all of those who, as teachers, are entrusted with the younger generation in the schools of the Province of Ontario, in a fashion which they are absolutely persuaded represents riding roughshod over their basic rights?

For the moment, the members may think they are wrong but let me try to prove what they think of the reaction of this. It would be well to put on the record some of the flood of telegrams hitting Queen's Park. I don't know how many Tories are getting them but we are getting them in the opposition.

We are getting copies of some the government is getting, so it is not without some, at least. Let me put a few of these on the record. Mr. Speaker, since you at least are impartial in this whole consideration, if nobody else, I want you to note the theme which runs consistently through all of these.

Here is one from Ottawa, from the teachers of Corpus Christi School:

WE ARE GREATLY CONCERNED ABOUT THE CURRENT LEGISLATION RE TEACHERS' RIGHTS. THIS LEGISLATION IS GROSSLY UNFAIR AND IS A REAL BLOW TO OUR DEMOCRATIC SYSTEM AND OUR RIGHTS.

Here is one addressed to the leader of the NDP from Chatham, Ont. Where is our baron from Chatham?

Mr. Stokes: Where is bigmouth tonight?

Mr. E. M. Havrot (Timiskaming): Silvermouth.

Interjections by hon. members.

Hon. Mr. Wells: Down in Scarborough West.

Mr. MacDonald: From the staff members of the Chatham Collegiate Institute:

OPPOSE EDUCATION BILL DENYING VALIDITY OF RESIGNATIONS IN DISPUTED AREAS. OSSTF FINDS TOTALLY UNACCEPTABLE BECAUSE DENIES TEACHERS' RIGHTS, ATTACKS

THE COLLECTIVE BARGAINING PROCESS, DOESN'T ALLOW FOR TEACHERS' OR PUBLIC INPUT. TOO HASTY, HARSH, AND ILL-CONSIDERED.

Here is one from Port Colborne:

CONTINUE TO OPPOSE THE EMERGENCY LEGISLATION AGAINST TEACHERS. IT DENIES THE BASIC RIGHTS TO RESIGN AND ATTACKS THE FREE COLLECTIVE BARGAINING PROCESS.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Is the member giving away the bride?

Mr. MacDonald: Giving away the bride?

Hon. Mr. Lawrence: That usually happens at weddings.

Mr. Deans: I think it is a hell of a lot more serious than the minister realizes.

Mr. Martel: That shows what he is.

Mr. S. Lewis (Scarborough West): I think it is time for him to take one of his normal leisurely strolls for a while.

Hon. Mr. Lawrence: There are three more until Friday.

Mr. MacDonald: These are condolences at the wake, not congratulations at the wedding.

Mr. Martel: Go and think for a while in the hall.

Mr. MacDonald: Here is another one from Ottawa.

Mr. R. G. Hodgson (Victoria-Haliburton): Where has that member been all week? Let him keep quiet now.

Mr. MacDonald: It is signed by some 30 or 40 teachers.

Mr. Ferrier: Wait until we get to the separate board one.

Mr. MacDonald: It is a long telegram. I'll read the first couple of paragraphs:

WE ARE GREATLY CONCERNED ABOUT THIS WEEK'S LEGISLATION RE TEACHERS' RIGHTS IN THIS PROVINCE. WE WISH TO GO ON RECORD AS HAVING SAID THAT THIS MOVE ON THE PART OF PARLIAMENT IS GROSSLY UNFAIR AND STRIKES AT THE VERY ROOTS OF DEMOCRACY AS WELL AS PERSONALLY INSULTS EVERY TEACHER IN THE PROVINCE OF ONTARIO WHO IS CONCERNED.

Hon. Mr. Grossman: If it's a long telegram it must be from the member for Ottawa Centre.

Mr. MacDonald: From North Bay.

Mr. A. J. Roy (Ottawa East): Where's that?

Mr. MacDonald: From North Bay:

I STRONGLY PROTEST GOVERNMENT'S PROPOSED LEGISLATION VOIDING TEACHERS' RESIGNATIONS ON GROUNDS IT IS A BASIC VIOLATION OF TEACHERS' RIGHTS AND IS AN ATTACK ON THE PROCESS OF FREE COLLECTIVE BARGAINING. I IMPLORE THAT THIS FASCIST LEGISLATION NOT BE RUSHED THROUGH AT THIS TIME SINCE IT REQUIRES FULL AND PROPER DEBATE.

Here's another one from Ottawa signed by 19 teachers:

THE SMALL GROUP OF INDIVIDUALS WHO HAVE SIGNED THIS NIGHT LETTER WERE SHOCKED BY THE COMPLETE DISREGARD FOR HUMAN RIGHTS AND CIVIL LIBERTIES EVIDENCED BY THE CURRENT LEGISLATION RELATING TO TEACHERS' RESIGNATIONS. IT IS A HASTY ATTEMPT TO PATCH A SERIOUS GAP IN LEGISLATION THAT HAS EXISTED FOR A LONG TIME. IT IS A RETROGRADE STEP IN A COUNTRY WHICH IS PROUD OF ITS DEMOCRATIC FREEDOM.

Here's one from Sault Ste. Marie.

Mr. Roy: Where's that?

Mr. MacDonald: STRONGLY OPPOSE MINISTRY OF EDUCATION ACT TO INCLUDE SECTION 22 TO CHAPTER 3. ABOVE AMENDMENT INFRINGES UPON CIVIL RIGHTS OF TEACHERS BY LIMITING THEIR ABILITY TO RESIGN, CALLS FOR UNFAIR ONE-SIDED ARBITRATION. IT IS RESTRICTIVE, REACTIONARY, AND REPULSIVE. URGE YOUR STRONG OPPOSITION TO SUCH LEGISLATION.

Here's one from Windsor from 13 teachers at St. Wilfred's School, addressed to the member for Scarborough West:

YOUR PARTY'S OPPOSITION TO THE WELLS LEGISLATION STANDS OUT AS A PARAGON OF SOCIAL JUSTICE. AS TEACHERS WE EXPRESS OUR APPRECIATION FOR YOUR EFFORTS AND AS INTERESTED CITIZENS WE URGE YOUR CONTINUED EFFORTS TO GAIN EQUITABLE COLLECTIVE BARGAINING RIGHTS FOR ALL THE WORKERS OF THIS PROVINCE.

Mr. Lewis: We are only called paragons once a day.

Mr. MacDonald: From Mount Dennis—

Mr. Eaton: The member for York South never got telegrams like that when he was leader.

Mr. Lewis: I sent that telegram.

Mr. MacDonald: Sorry, it's from Mount Forest. Mount Dennis is in my own home territory, I was just getting a little parochial for a moment. The following telegram was sent to Premier Davis:

SIR: YOU HAVE GIVEN US THE SPECTACLE OF A GOVERNMENT USING PARLIAMENT TO RETROACTIVELY MAKE ILLEGAL ACTIONS

CARRIED OUT BY PEOPLE WHICH ARE ENTIRELY LEGAL. WHO IS SAFE NOW? WHO IS GOING TO BE ABLE TO SAY NO NOW? DEMOCRACY SUBVERTED IN THIS FASHION IS FASCISM–

It's interesting how that continues to creep in.

Mr. Lewis: They understand.

Mr. MacDonald: –TEACHERS WHO ARE BOUND TO THEIR CLASSROOMS ARE SLAVES. SLAVES ARE NOT GOOD TEACHERS. SLAVES ARE NOT GOOD FOR EDUCATION. TEACHERS WILL NOT ALLOW THEMSELVES TO BE ENSLAVED. PLEASE GET ON WITH THE MAIN BUSINESS OF COLLECTIVE BARGAINING LEGISLATION AND STAY AWAY FROM THE INSANITY OF YOUR PRESENT EMERGENCY LEGISLATION.

Mr. Deans: Is the government now convinced?

Interjections by hon. members.

Mr. MacDonald: PRESIDENT OF DISTRICT 39, ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION.

Mr. Lewis: The minister should listen. If they are all NDPers we will sweep the government. Let him relax. Let him relax now. Take it easy.

Interjections by hon. members.

Mr. V. M. Singer (Downsview): The member made that mistake before.

Mr. Lewis: No. No. No.

Mr. W. Hodgson: What was his majority in the last election?

Mr. Lewis: Very small.

Mr. MacDonald: Here's one from Toronto.

Mr. F. Laughren (Nickel Belt). Next time it will be larger.

Mr. Deans: It can only go up.

Mr. Speaker: Order, please.

Mr. MacDonald: WE MEMBERS OF THE STAFF OF DR. G. W. WILLIAMS SECONDARY SCHOOL OF AURORA DEPLORE THE INTERVENTION OF THE ONTARIO GOVERNMENT AT BARGAINING PROCEDURES BETWEEN THE TEACHERS AND THEIR RESPECTIVE BOARDS. THE GROSSNESS OF THIS EROSION OF AN INDIVIDUAL'S MORAL AND LEGAL LIBERTIES IS APPALLING.

Mr. Stokes: Aha! That's pretty close to the member for York North's home, eh?

Mr. W. Hodgson: Right in the heart of our riding.

Interjections by hon. members.

Mr. MacDonald: Ottawa:

CURRENT LEGISLATION CONCERNING TEACHERS' RESIGNATIONS IS GROSSLY UNFAIR AND CONTRADICTS THE PRINCIPLES OF OUR DEMOCRATIC SYSTEM.

From Paincourt–the staff of Ecole Secondaire de Paincourt. I've forgotten what riding that is. P-a-i-n-c-o-u-r-t.

Mr. Roy: Does the member want me to read that for him?

Mr. MacDonald: I don't mind doing it for myself.

THE STAFF OF ECOLE SECONDAIRE DE PAINCOURT STRONGLY OBJECTS TO THE PRESENT EMERGENCY LEGISLATION BEFORE THE HOUSE CONCERNING THE RESIGNATION OF TEACHERS ON THE FOLLOWING GROUNDS: (1) IT VIOLATES THE BASIC TEACHERS' RIGHTS; (2) IT IS AN ATTACK ON THE FREE BARGAINING PROCESS; (3) IT IS TOO HASTY AND DOES NOT ALLOW INPUT FROM THE PUBLIC OR TEACHERS.

Another one from Ottawa:

THE MEMBERS OF THE STAFF OF THE CANADIAN MARTYRS' SECONDARY SCHOOL PROTEST THE LEGISLATION REGARDING TEACHERS' RESIGNATIONS AS A BLOW AGAINST DEMOCRACY.

Hon. Mr. Grossman: Martyred again!

Mr. MacDonald: Sault Ste. Marie: FOLLOWING HAS BEEN SENT TO JOHN RHODES AND BERNT GILBERTSON.

Mr. Laughren: Has the member for Algoma answered it yet?

Mr. Deans: Would my friend read it slowly so that the member for Algoma will understand it?

Mr. MacDonald: FORTY-SIX STAFF MEMBERS OF THIS SCHOOL WISH DIRECTIVELY TO EXPRESS STRONG DISAGREEMENT TO THE RECENT BILL IMPOSING ARBITRATION UPON UNSETTLED AREAS AT THE END OF THIS MONTH. THE REFUSAL OF THE RIGHT TO STRIKE NOT ONLY IS CONTRARY TO THE WHOLE CONCEPT OF DEMOCRACY BUT ALSO DENIES THE TEACHER STATUS AS A CITIZEN WITH CIVIL RIGHTS. AN ALTERNATE METHOD OF DEALING WITH THIS PROBLEM OF EXTENDED ARBITRATION MUST BE FOUND. CENTRAL ALGOMA SECONDARY SCHOOL. L. INGHAM, SECRETARY-TREASURER.

Mr. Lewis: Ask the member for Algoma to enter the debate now.

Interjection by hon. member.

Mr. MacDonald: So perhaps we'll have the member for Algoma at some later date enter the debate and speak on behalf of his troubled citizens.

Interjections by hon. members.

Mr. Gilbertson: I always try to take care of the problems of Algoma.

Mr. MacDonald: Let me return, Mr. Speaker, to the point I was making.

Interjections by hon. members.

Mr. Deans: The member for Algoma is the problem in Algoma.

Interjections by hon. members.

Hon. Mr. Stewart: But the NDP will never do anything about it.

Mr. Speaker: Order.

Mr. MacDonald: Don't be too sure.

Mr. Foulds: He lost in Wawa.

Mr. M. Hamilton (Renfrew North): Not one telegram from parents.

Mr. Laughren: His own riding association will defeat him.

Mr. Deans: Not one telegram from where?

Mr. Hamilton: Parents.

An hon. member: From where?

Mr. Deans: Doesn't the member think any of those teachers are parents?

Mr. Speaker: Order please.

Mr. Hamilton: You never know.

Mr. Speaker: The hon. member for York South has the floor.

An hon. member: Were any from citizens?

Mr. MacDonald: As a matter of fact, some of them were from citizens. The one from Port Colborne was from a citizen. Some of them were from citizens—not all were from teachers and teachers' organizations.

Now, Mr. Speaker, the point that I was trying to make is that the government talks about the great obligation of teachers. These are the people who are shaping the minds of the rising and younger generation. They have spelled out the new amendments to the School Administration Act in terms of the moral values that must be inculcated; respect for the law, respect for civil rights, respect for the Human Rights Code. And what this government has done—and the teachers believe this, and they're right—is to ride roughshod over their civil rights. Yet the government expects them to speak with the kind of voice and authority and conviction with regard to civil rights in this province when it treated them in this fashion.

I was most fascinated with the interjection of the hon. member for Scarborough Centre (Mr. Drea) this afternoon when at one point he asked: "How do you establish a proper teaching experience in a school with a picket line outside?"

Well, let me rephrase that a little bit more realistically: How do you establish a proper teaching experience in a school when the government itself has so treated all of the teachers whose responsibility it is to teach that they themselves are persuaded—and they are right—that their fundamental rights have been snatched overnight through this kind of legislation?

The minister really doesn't realize what he has done. He is like a little kid who starts playing with fire. He doesn't know the consequences of his sort of bulldozing act. As a matter of fact, if I were to direct my attack on the minister personally, as though he were the man to blame rather than the whole government, I would be tempted to apply that analogy that is applied to some other people these days; that he is the only bull they know who carries his own china shop with him. Because every new situation he gets into sort of creates chaos in relationships and the situation disintegrates.

Hon. Mr. Wells: The member for York South is very funny.

Mr. Lewis: Now, now.

Mr. Foulds: And the minister is very destructive and he knows it.

Mr. Lewis: Don't show any animation, or some of the hairs will fall out of place.

Interjections by hon. members.

Mr. Speaker: Order please.

As I had occasion to say last evening to our visitors, we are always pleased to have visitors in our galleries to observe the proceedings in the House. They are there as our guests, as visitors, and there are certain rules which must be followed. They must not participate in any way to interfere with the proceedings in the House. They must not applaud or take part in any way in any sort of interruptions that would interfere with the hon. members.

Now, I am sure they realize this. It may be difficult for them occasionally to resist some little—

Mr. Stokes: Chuckle.

Mr. Speaker: —chuckle, which we will permit.

Mr. Lewis: Oh ho.

Mr. Speaker: I have permitted that. The hon.—

Mr. Lewis: That's a breakthrough. Chuckles are permitted in the public gallery. That's an important milestone.

Mr. Speaker: —members know that I have permitted some slight laughter and chuckles. But we would ask them to resist the applause, and so on, so that the hon. members may continue their debate uninterrupted.

Mr. MacDonald: Thank you, Mr. Speaker. As a matter of fact, I appreciated your interjection, because it was a breakthrough. Hitherto we couldn't chuckle in the galleries; hitherto we couldn't.

An hon. member: That's right.

Mr. Lewis: A thin edge.

Mr. MacDonald: My final point, and I don't really want to drive this home too much, but what I want to say to the government is, if it wants to be fool enough to pursue its present methods, just go ahead. It must know that what it is doing—and it must be obvious to all the members sitting in the back benches—is that it is radicalizing the teaching profession; and more than the teaching profession, that's where it is making the mistake. The government rather cynically thinks the public is opposed to teachers because teachers' salaries are a sort of symbol of the high cost of education. That, symbolized with the high tax structure which people are unhappy about because of the policies of this government traditionally, is the government's cynical kind of approach.

But, Mr. Speaker, the public is beginning to see through this. I just want to relate to the minister a very interesting story. It's an old story; it goes back to the very beginnings of the ceilings. I went to a meeting—and I was proud that it took place in my riding, in one of the poorest parts of my riding, in what would be described as a disadvantaged area in terms of almost solidly working-class children. At this ratepayers' meeting, the principal of the school at the earliest stages of the whole ceilings proposition, a year ago last spring, came and made a presentation and asked for the support of the parents.

He not only got the support of the parents, he got the support of the member for the board of education who was there, he got the support of the staff members at the school—the janitorial people, the maintenance people at the school—he had the support of everybody there. There wasn't one person who was objecting that this might increase his rates, because it was pointed out that in this school, a relatively disadvantaged school in terms of the children, if they were going to have ceilings and cut out the frills, that would mean the zoological trips, trips out of town, and things of that nature were going to be washed out.

This was the school that was going to be penalized, not the school over in Forest Hill Village because it would be able to get the means to continue to have these little extras in education. But in this area, right down in Black Creek, which is a solid working-class area in the borough of York, they recognized it.

I want to say to you, Mr. Speaker, and to the members of the government, that they may think at the moment they have got one group isolated and they are going to penalize it, they are going to restrict its rights, they are going to trample over its fundamental freedoms, but the government is going to see that more people in this province are interested in the protection of these fundamental freedoms than the government, in its cynical way, believes to be the case at the present time.

I was fascinated to get a call about 3:30 yesterday afternoon from the principal of a school in the borough of York who said, "We heard about this whole uproar this morning. The teachers had a staff meeting at 3:30 or 4." I think it was about 20 minutes afterwards that I got the call. In the call, he read to me the wording of a resolution that had been unanimously passed, and by 4:30 the whole staff was down with the 1,200 to 1,500 teachers who were out at the front.

I got a telephone call just before 6 o'clock tonight. I went out and I called this man. He spoke on behalf of the staff at George Harvey, another school in my area. He said the 121 teachers were solidly opposed to this legislation. He said, "I've got somebody else on the phone." It was somebody who was speaking on behalf of the teachers from York Memorial, and what was the number of them?—55 were opposed, of the staff at York Memorial. He said: "I've got somebody else here, somebody from Weston; 90 of the teachers on the staff at

Weston." And then he said, "There's somebody else here," and the man came on and said: "I can't get in touch with Leluk, my member, but I just want you to know that Runnymede—

Mr. N. G. Leluk (Humber): Did he try to call me?

Mr. MacDonald: Sure. He tried to call me, and he got me and I called back.

Mr. Leluk: I have been here all day today. Don't give me that.

Mr. MacDonald: Well, anyway, he wanted me—

Interjections by hon. members.

Mr. MacDonald: —to let the member for Humber and everybody else know that Runnymede, which is another collegiate in the borough of York but in the riding of Humber, gave its support. And then the first man came back on the phone and he said—just a personal note—"I happen to live in your riding. When the next election comes give me a call. The Tories have lost one vote and you've gained one."

Mr. R. K. McNeil (Elgin): The member is going to need more than the one vote.

Mr. MacDonald: Yes, but the "ones" are going to multiply.

But that I am not so particularly interested in at this particular point. What I am saying is, to quote the words of George Knott, of the Ontario English Catholic Teachers' Associations, in a release that was available for those who went down to committee room No. 1 yesterday, speaking of the Minister of Education: "He hoped to put out a small fire but he has precipitated a much larger one. The sleeping giant is awakening."

Mr. Lewis: That's right.

Mr. MacDonald: And the sleeping giant, don't you kid yourself, Mr. Speakers, isn't just the teachers, it's a lot of other people who know what the pattern of this government's atittude is, whether it be the hospital workers or the civil servants, and now teachers. Who is next in the line?

Mr. Stokes: That's right. Who is next?

Mr. MacDonald: Who is next in the government's line? That's what they are going to ask themselves.

Mr. Martel: The doctors; hopefully the doctors.

Mr. MacDonald: No, we shall oppose this legislation. Not, unfortunately, with any hope that we're going to be able to defeat it, because the simple arithmetic is that the minister has twice as many votes as we have on this side of the House; but we have 56 per cent of the people who voted for us in the last election. The government has only 44 per cent of the people who voted for them in the last election. Perhaps with a few more gaffes like this we'll get that corrected by the time the next electoral battle comes.

Hon. Mr. Grossman: Is the member talking about the results of the election or what he should do here?

Mr. Speaker: The hon. member for Ottawa East.

Hon. Mr. Stewart: Oh boy! Does the member for Ottawa East want us to refer to the articles we have here?

Mr. Roy: I've got a feeling this is going to be tumultuous; I think this debate is going to be lively.

I expect a few replies here and there, but I thought I should open this speech, this debate Mr. Speaker, by speaking to you personally, and speaking to you in a language which you and I understand very well, as does my colleague from Cornwall. I thought I should say a few words in French, because obviously a number of teachers in the north are being affected. So Mr. Speaker, if I may begin by saying—

Mr. Speaker: Perhaps the hon. member for Stormont (Mr. Guindon) would inform me when the member is out of order.

Mr. Roy: He won't do that, will he?

Hon. F. Guindon (Minister of Labour): C'est moi puis toi qui parlons ensemble. Deux copains, deux amis.

Mr. Roy: M. L'orateur, je voudrais tout simplement vous dire qu'on est extrêmement peinés de voir que le gouvernement a présenté ce genre de législation. Depuis un an et demi, on voit le conflit qui s'apprête tranquillement, un conflit qui devenait inévitable. Nous croyons qu'on avait présentée un rapport, avec un nom qui est peut-être français. Réville, est-ce que c'est français?

De toute façon, M. l'Orateur, il y avait un rapport et on aurait cru que du fait que le rapport était sur le bureau du ministre depuis le printemps 1972, on aurait vu certaines re-

commendations de ce rapport présentées ici en Chambre.

Hon. Mr. Guindon: He jumped the gun.

Mr. Roy: Is that all right?

Hon. Mr. Guindon: So far.

An hon. member: The minister is going to vote for that?

Mr. Roy: Really, I'm trying to put the minister to sleep for awhile.

Mr. Martel: Switch sides; that's the member's role.

Mr. Roy: Ainsi, M. l'Orateur, j'aurais cru, devant l'inévitabilité du conflit, que c'était notre rôle que l'opposition, comme l'opposition officielle, comme des députés que je croyais responsables, de voir à ce que le gouvernement intervienne.

In fact, Mr. Speaker, if I may say to the minister, we've not had all that much input in English and I'm hoping maybe in French to get to him. We'll see his reaction after I'm finished.

De toute façon, M. l'Orateur je voudrais vous dire que c'était notre rôle de voir quel était le plan du gouvernement face à ce conflit. Est-ce que le gouvernement permettrait que 17 comtés scolaires, 495 écoles, soient fermées le 3 janvier. Nous croyons que c'était notre rôle de voir quel était le plan du gouvernement.

Maintenant on voit le gouvernement qui dit: On vous a donné un plan, on a présenté certaine législation. Mais je vous dis sincèrement, M. l'Orateur que nous n'avons jamais demandé une législation qui à toutes fins pratiques empêchait les droits civils, des droits d'ailleurs qui sont protégés par les bills des Droits de l'homme au fédéral. D'ailleurs c'est pour cela, Monsieur l'Orateur, que j'ai présenté—

Mr. E. Sargent (Grey-Bruce): That is not allowed.

Mr. Roy: —un bill des Droits de l'homme qui s'appliquait aux lois de la province pour empêcher exactement ce genre de législation. Premièrement on n'a jamais demandé un genre de législation qui empêcherait des individus de s'engager a un travail, d'être congédiés d'un travail. Cela, Monsieur l'Orateur, c'est un affront à un droit civil du gouvernement.

Mr. McIlveen: Who is the member for Ottawa East pointing at?

Mr. Roy: Alors quand le ministre nous dit ici qu'il a présenté le genre de législation qu'on avait demandé, ce n'est pas vrai du tout. Pourquoi n'est-il pas intervenu avant, pourquoi n'a-t-on pas vu les recommandations du rapport Réville, ou le genre de législation même du bill que vous avez présenté, le bill 275.

Hon. Mr. Lawrence: Quel est votre plan?

Mr. Roy: The provincial secretary should speak up.

Notre alternative, mais écoute tu dois comprendre l'alternative, c'est lui l'alternative—

Mr. Speaker: Order.

Mr. Roy: Ca fait maintenant—I am sorry, Mr. Speaker.

Mr. Speaker: The hon. member was in order so far.

An hon. member: He was being provocative.

Mr. Roy: Si tu veux écouter, la première chose que j'ai dite c'est que la solution aurait été, d'après nous, de présenter les recommandations du rapport Réville que vous avez depuis le printemps 1972. Pourquoi avez-vous attendu si longtemps, attendu que le conflit soit précipité. C'est comme si vous vouliez avoir un conflit, que vous l'ayez cherché! Ce qui me peine le plus dans tout cela, c'est que beaucoup des comtés scolaires mêlés dans cette affaire sont des comtés des écoles séparées et cela vous a donné une occasion—

Hon. Mr. Lawrence: Mais pour le 3 janvier.

Mr. Roy: Pour le 3 janvier! Cela fait deux ans que vous avez le rapport!

Interjections by hon. members.

Mr. Roy: Alors, Monsieur l'Orateur, on aurait cru que le gouvernement allait présenter ce genre de législation. Ensuite, pourquoi le gouvernement n'est-il pas intervenu dans les trois mois, même au début, quand on a soulevé ce problème, le 4 décembre, s'il voulait faire ce qu'on appelle en anglais a compulsory arbitration. I have a problem with those words.

Interjections by hon. members.

Mr. Roy: In any event—je disais, Monsieur l'Orateur, si le gouvernement voulait imposer ce genre d'arbitrage, pourquoi ne l'a-t-il pas

fait il y a trois mois, même au début du mois de décembre quand on a soulevé le problème? Il y a beaucoup d'instituteurs et d'institutrices qui auraient accepté ce genre de législation. Non seulement vous avez imposé ce genre d'arbitrage mais avec les plafonds imposés ce n'est pas de l'arbitrage.

Mr. Speaker: The hon. member is going just a little fast for me. He has finally found a way to get around the Speaker.

Interjections by hon. members.

Mr. Roy: Mr. Speaker, now that I have the honour of having the Premier in the House, I will go a bit slower on this particular point. Mais je disais—do the members want me to start over? Really?

Interjections by hon. members.

Mr. Roy: Je disais si le gouvernement voulait imposer ce genre d'arbitrage pour que ce soit vraiment un arbitrage, il requiert ce qu'on appelle "input." Cela prend des recommandations libres des deux côtés et alors cela s'appelle de l'arbitrage. Mais je vous dis, Monsieur l'Orateur, avec les plafonds imposés —stick around.

Mr. Speaker: I have to get it translated, I think.

Mr. Roy: M. l'Orateur, je vous dit tout simplement qu'avec ce genre d'arbitrage et les plafonds, ce n'est pas de l'arbitrage du tout. C'est pour ces deux raisons que nous ne pouvons accepter ce genre de législation. Je ne suis pas contre l'arbitrage comme tel. Je suis fort inquiet même sur la question de la grève par les instituteurs. Personnellement, pour moi, c'est un problème à régler.

Quand vous nous présentez ce genre de législation, M. l'Orateur, qui premièrement va contre les droits de l'homme, quand vous empêchez les individus de donner leur démission et deuxièmement quand vous imposez un genre d'arbitrage comme celui-ci, mais avec des plafonds, vraiment vous réglez les salaires. Ce n'est plus de l'arbitrage.

Hon. Mr. Grossman: Yes, but where does the hon. member stand on the bill?

Mr. Roy: C'est pour cette raison que nous ne pouvons appuyer ce genre de législation. Comme opposition responsable on s'est fait crier après parce que nous appuyé la législation en première lecture.

Je voudrais vous dire, M. l'Orateur, que sur 274 bills qui ont été présentés ici en Chambre, il y a seulement un bill qui a été opposé en première lecture. Comme opposition responsable qui a demandé une solution du gouvernement—

Hon. Mr. Lawrence: Quel côté du problème? Au milieu.

Mr. Roy: —nous croyons que c'était notre rôle, avant de nous opposer à une législation, nous devions au moins la lire, l'étudier, cette législation. Nous l'avons fait et il était clair qu'après en avoir pris connaissance, il était absolument impossible de lui donner notre appui.

Mr. Speaker, in the last—

Interjections by hon. members.

Hon. W. G. Davis (Premier): What is the applause for?

Mr Roy: If the Premier keeps giving me a bad time, I'll go back to French.

Mr. R. F. Nixon: Didn't the Premier understand what he said?

Hon Mr. Davis: Did the Leader of the Opposition understand?

Mr. R. F. Nixon: Certainly.

An hon. member: I thought his grammar was tremendous.

Mr. R. F. Nixon: Well, we applauded. We agree. It is very good.

Hon. Mr. Davis: Did the member for Sarnia understand?

Mr. J. E. Bullbrook (Sarnia): Yes.

Mr. R. F. Nixon: As soon as the Premier gets a translation, he will applaud too. He should send out one of his people for a translation.

An hon. member: Tell us what he said.

Mr. Bullbrook: Well, he said the Premier—

Mr. R. F Nixon: He said the bill must be opposed by everyone, that it is simply inadmissible.

Mr. MacDonald: There is nothing like the zeal of a new convert.

Interjections by hon. members.

Mr. Roy: In fact, Mr Speaker, what I said is that the Premier would have opposed this bill in the form that it was presented yesterday in this House He would have opposed it.

Hon. G. A. Kerr (Provincial Secretary for Justice): Has the member got his own bill yet? Has he made amendments to the bill yet?

Mr. Roy: We can't support that type of legislation.

Mr. Martel: But they have supported compulsory arbitration.

Mr. Ferrier: The Liberals don't know what they are doing.

Mr. Martel: The Liberals can support compulsory arbitration, though.

Mr. Roy: Mr. Speaker, if I may say so, during the last few weeks we, as a responsible opposition, felt that it was our duty to question the government about what it was planning to do—

Mr. Martel: All over the ball park.

Mr. Roy: —in the light of an obvious emergency situation, not only in the Ottawa area but in 17 school boards across the province.

Hon. Mr. Kerr: Tell us what the Liberals want in the bill!

Mr. Roy: We felt it was essential that the people of this province, and the teachers and the school boards involved, should have some idea of the plans of the government.

We felt, Mr. Speaker, that in the light of the fact that the situation had reached really crisis proportions, that the schools were going to be closed appeared inevitable in these circumstances—

Hon. Mr. Lawrence: Quel est votre plan?

Mr. Roy: Mr. Speaker, in light of the facts that some 7,500 teachers had exercised their right to resign, that 17 school boards and about 495 schools were involved, we felt that the teachers really had reached an impasse. And it was not the school boards' fault; the school boards were being shackled, straitjacketed in fact, by the ceilings. In this type of situation, we felt it was incumbent on the government to let us know what the options were.

Hon. Mr. Davis: The member knew exactly what he expected.

Mr. Roy: So, Mr. Speaker, we felt it was our duty to demand from the government—

Mr. Martel: What about their duty towards the elevator workers?

Hon. Mr. Lawrence: Don't apologize.

Mr. Roy: Mr. Speaker, we felt it our duty to demand from the government—

Mr. J. R. Rhodes (Sault Ste. Marie): The member wants to walk both sides of the street.

Interjections by hon. members.

Mr. Roy: Mr. Speaker, we felt it our duty to demand from the government that they act and give us some idea of what they intended to do in the light of an obvious conflict and to do so prior to Jan. 3.

Hon. Mr. Kerr: So what did they draft?

Mr. Roy: And so it was, Mr. Speaker, that when the government presented legislation in this House on first reading, we felt it would be legislation that would take some action—

Mr. Martel: They knew what was in it. They heard it right.

Mr. Roy: —or would resolve this particular situation. We felt, Mr. Speaker, that it was our duty, as it has been, as a responsible opposition, to see whether the legislation in fact—

Mr. Martel: All over the ball park.

Mr. Roy: —was intended to solve the particular problems.

Hon. Mr. Grossman: Like what?

Mr. Roy: Mr. Speaker, when one considers—

Hon. Mr. Kerr: The Liberal caucus had a copy of the bill after first reading.

Mr. Roy: We feel it is the duty of a responsible opposition, Mr. Speaker, in the light of the serious situation—

Mr. Rhodes: The member is on the fence and can't get off.

Mr. Roy: I heard the Premier of the province stress the importance of the fact that it's the welfare of the children that is paramount in this situation.

Mr. Martel: What about the elevator workers and the public last spring?

Mr. Roy: We agree with this principle, Mr. Speaker, but on the other hand when we have this paramountcy on the side of the parents—

Hon. Mr. Davis: We have it in both hands.

Mr. Roy: —we have got to have justice on the other hand, Mr. Speaker. We felt, in the light of this situation, a way to balance the issue was at least to study the legislation and not vote against it blindly. After all it is a tradition of this House and many bills have been opposed in this House on second reading. I'd like to say to the members there were 274 bills presented in this House in the last session and all of them went through on first reading except the one bill, Mr. Speaker.

Interjections by hon. members.

Mr. Roy: I say to my friends on the left they voted against the civil service bill on second reading; they did not vote against it on first reading. We felt it important, Mr. Speaker, to study the legislation.

Mr. Martel: What did the Liberals do with the elevator workers?

Mr. Roy: Mr. Speaker, we have studied the legislation and we feel there are three areas which are absolutely impossible to support. We did not call for legislation which would void contracts or void resignation of teachers. We didn't call for legislation which would affect a basic principle.

Hon. Mr. Lawrence: Quel est votre plan?

Hon. Mr. Kerr: What is his plan? Give us some legislation.

Mr. Lewis: Come on. The Provincial Secretary for Resources Development is out of his depth.

Mr. Roy: He's beginning to bug me a little bit. Let's see what he is trying to say. What is it?

Mr. Martel: He wants to know if the member is running federally this time.

Mr. Roy: Where do we stand? Hang on.

Hon. Mr. Lawrence: Which side of the mouth is he talking out of? What is his solution?

Mr. Roy: Hang on and I'll tell the minister what our solution is.

In any event, Mr. Speaker, we did not call for legislation which was infringing one of the basic rights of every citizen in this province, to be hired, to be fired and to resign. We felt we could not support legislation which was so badly drafted. Legislation which presumes motive, as this legislation does, really becomes unenforceable.

It is interesting that when my leader asked the Premier whether there had been consultation with the Attorney General (Mr. Bales) about the enforcement provisions or whether this type of legislation could be enforced, all of a sudden, when the question period was over there was a mass consultation with the whole Justice group. God help the Minister of Education if he has to rely on them. In any event there he was consulting with that group and they've been consulting since that time because there are serious problems in trying to enforce this type of legislation.

Lastly, Mr. Speaker, we could not support this type of legislation which, in fact, imposes wage control. We are not against compulsory arbitration per se.

Interjections by hon. members.

Mr. Roy: I suggest, Mr. Speaker, that many of the teachers are not either.

Mr. Lewis: Why is the Premier worried?

Mr. T. P. Reid (Rainy River): They change the rules in the middle of the game.

Mr. Lewis: He is the author of all this.

Mr. Reid: How can he sit there and be so pious when he is the author of this mess?

Mr. Roy: Mr. Speaker, what we are saying is that when the government imposes compulsory arbitration with ceilings it becomes meaningless, and the members know it becomes meaningless.

Mr. Lewis: He is looking for a federal riding.

Hon. Mr. Lawrence: He is speaking from both sides of his mouth.

Mr. Roy: Compulsory arbitration presumes there is going to be input from both sides but in this case we know what the situation is with the ceilings. The only alternative left for the boards, Mr. Speaker, is simply to give what the boards have been offering in the last while because the boards have opened their books.

We have amendments and we are expected, we are invited, by the minister to support the bill in the light of the amendments. I say to you, Mr. Speaker, that the amendments prove one thing—that the minister originally presented a very bad bill. The bill was faulty and this is why he had

to present amendments. That is the biggest admission he made when he put in these amendments.

Hon. Mr. Davis: That is not true.

Hon. Mr. Wells: That is nonsense.

Mr. Singer: Of course it is.

Hon. Mr. Davis: I agree with the member for Downsview.

Mr. Singer: There is sloppy legislation always at the end of the session.

Mr. Roy: I suggest the amendments are going contrary to the principle of the bill. The minister is going contrary to the principle of this bill. I suggest, Mr. Speaker, that following the procedures of this House these amendments are not admissible. The bill which was voiding the contracts is going to have to be withdrawn.

We say, Mr. Speaker, that if we had a Bill of Rights in the province, such legislation would in fact be struck down because it infringes on the basic rights of certain individuals in this province. We say, Mr. Speaker, and I suppose it's with some reluctance, that the government has always hesistated in bringing in a Bill of Rights because its Human Rights Code is really of no value in this situation.

Hon. Mr. Grossman: We have the best Human Rights Code in North America.

Mr. Roy: Mr. Speaker, we presented a Bill of Rights some time ago, and I would invite the Premier to follow in the footsteps of his counterpart in Alberta, where they have a Bill of Rights. I suggest to the Premier that if he tried to bring in this type of legislation with a Bill of Rights, it would be struck down.

Mr. Speaker, we could not quite understand why the government, in the light of the fact that the Reville report has been available since sometime in—what was the date?

Mr. Foulds: June.

Mr. Roy: June, 1972.

Mr. Foulds: September. It is dated June, but they didn't make it public until September.

An hon. member: September, 1972.

Mr. Roy: The minister had it on his desk in June—

Hon. Mr. Wells: No, he did not.

Mr. Foulds: He had it on his desk some months before that.

Mr. Roy: In any event, Mr. Speaker, in light of the fact that the minister has had this type of legislation on his desk for so long, we feel that legislation along the lines of the recommendations of the Reville report could have been brought into this House in early spring.

Mr. Foulds: The Liberals would have supported that?

Hon. Mr. Davis: The member is supporting the Reville report? Is that what he is saying?

An hon. member: No, he isn't.

Mr. Lewis: That's what they are saying.

Mr. Roy: At least we could have had open and frank debate before a committee—

Interjections by hon. members.

Mr. Roy: If the government presents proper legislation, Mr. Speaker, we will tell them what we support.

An hon. member: They don't know what they support.

Mr. Roy: We cannot support legislation such as Bill 274—

Interjections by hon. members.

Mr. Roy: Mr. Speaker, we feel that the government had an alternative, but it would appear—and this has been pointed out by many of the hon. members—that the government in fact seemed to be looking for a confrontation in this situation—

Hon. Mr. Kerr: Not really. We expected Liberal support.

Mr. Roy: —and it has been typical since 1971.

Mr. MacDonald: Compulsory arbitration if necessary, but not necessarily compulsory arbitration.

Mr. Martel: Sounds like Mackenzie King.

Hon. Mr. Lawrence: Exactly. Mackenzie King.

Mr. Roy: One aspect of this whole situation that saddens me as a member of this House is that when I look at the tables presented by the minister, I see that 11 of the boards involved are separate school

boards. Is this just a coincidence? Are the separate school boards getting less than the public school boards?

Hon. Mr. Wells: No.

Mr. Roy: Or is this just a situation where he can sort of kick two cats—

Hon. Mr. Davis: On a point of order, Mr. Speaker, I would like to ask if the hon. member is really saying to this government—

Mr. Bullbrook: That is not a point of order, and the Premier knows it.

Hon. Mr. Davis: Well, it is a point of order!

Is the hon. member suggesting that this in any way relates to the degree of support going to the separate school system? Is that what he is trying to imply? Is it?

Interjections by hon. members.

Mr. Speaker: It is not really a point of order. It could be a point of clarification, which is often asked.

Mr. Singer: Oh, come on. What's a point of clarification?

Interjection by an hon. member.

Hon. Mr. Davis: The hon. member should say if he thinks that, because he is wrong.

Mr. Roy: I am saying to the Premier, Mr. Speaker, that in light of his approach to the 1971 election, it's more than a coincidence that 11 of the school boards here are separate school boards. That's what I am saying. And in light of the fact—

Mr. Bullbrook: It's not a point of order.

Mr. Singer: There is no such thing as a point of clarification.

Interjections by hon. members

Mr. R. F. Nixon: On the point of order—

Interjections by hon. members.

Mr. R. F. Nixon: If you are going to permit a point of order—

Interjections by hon. members.

Mr. Speaker: Order please. I said it was not a point of order in my opinion.

The member for Ottawa East.

Mr. Roy: I fully intended to answer the Premier if he had been in order.

Mr. R. F. Nixon: By way of interjection, you don't give them—

Mr. Speaker: Order please. The member for Ottawa East has the floor. Order.

Mr. R. F. Nixon: Yes, sir.

Hon. Mr. Grossman: He still hasn't told us what he is in favour of.

Hon. Mr. Kerr: No, he has not.

Mr. Roy: Just hang on.

Mr. R. F. Nixon: The separate school boards don't have as much money per student as public school boards.

Hon. Mr. Lawrence: What day of the week is it? Which side are they on?

Mr. Roy: Mr. Speaker, another defence of the government in this whole situation that is far more ironic is that they have sort of directed their attention to the poor member for Ottawa East as the culprit in this situation, and in fact they have given me importance that I really didn't think I had.

Interjections by hon. members.

Mr. Foulds: On that point, the member is right.

Mr. Roy: Mr. Speaker, how can one poor member from eastern Ontario possibly affect the policy of the "big blue machine"? I couldn't really understand that. I can only say to the Premier and to the Minister of Education, come now, be reasonable, take it easy.

Mrs. M. Campbell (St. George): That would take too long.

Mr. Roy: Surely, I can't be the prophet of their sudden folly? The minister, Mr. Speaker, would have had more credibility when he presented this legislation if, instead of picking on the member for Ottawa East, he had said something like: "The devil made me do it," or "The blue devil made me do it," or something along that line. He blames the poor member for Ottawa East. Come now. I am not all that gullible. I am pretty proud but not all that gullible.

Mr. Deans: I am not sure about that.

Mr. Roy: Mr. Speaker, we feel there were alternatives open to the government. One of the alternatives has been suggested by my leader and for the benefit of the Premier—did he hear his suggestion actually? It was a good suggestion.

Hon. Mr. Davis: Yes, I did. And I am looking at the alternative on page 6706.

Mr. Roy: Page 6706?

Mr. Bullbrook: Was the Premier meeting Bishop Pocock again tonight?

Mr. Roy: Mr. Speaker—

Mr. Bullbrook: Does he go to confession?

Mr. Reid: He needs all the help he can get.

Mr. Bullbrook: He really is close to him.

Mr. Reid: He's been down at the Christian Science Monitor maybe.

Mr. Roy: Mr. Speaker—

Mr. R. F. Nixon: Well, editorials from the Catholic Register were read in.

Mr. Bullbrook: He's my parish priest and we have only 10 minutes together.

Hon. Mr. Davis: I would recommend it to the member for Sarnia.

Mr. Roy: I say the minister and to the Premier that at no time did we call for legislation which would abridge the rights of individuals. It was open to the government some three months ago if it felt it necessary; and many of the schools and many of the teachers were asking for this. Why did the minister not impose compulsory arbitration three months ago? Without the ceiling? Why didn't he impose it when they were asking for it?

Hon. Mr. Lawrence: That's the member's—

Mr. Foulds: The ceilings have been in effect for three years.

Mr. Roy: Why did he not impose compulsory arbitration, for instance, without taking away their right to resign? Why did he have to infringe on that right? I say, Mr. Speaker, it could have been done even at the start of December when we first raised this point. Why didn't he impose compulsory arbitration with the board of arbitration reporting, let's say, for Dec. 31?

Hon. Mr. Grossman: The member is getting in deeper.

Hon. Mr. Kerr: Is he a Creditiste?

Mr. Roy: I am saying we could have done this without infringing on the rights of individuals to resign. It would appear to us, and this has been mentioned by the member for York South, that it appeared beneficial for the government to play politics with this issue and that it was looking for a confrontation. The whiz-kids up in the $1 million office of the Premier were looking at this situation saying: "This is politically good; the people, the parents, the students, will enjoy this. In fact, they will be for this."

Mr. R. F. Nixon: Arthur Wishart does things like that.

Mr Reid: A Machiavellian plot, that's what it is.

Mr. Roy: In fact it was only a week ago when the Minister of Health (Mr. Potter) said he would not intervene and somebody up there got a brain wave.

Hon. Mr. Davis: The Minister of Health made no such observation.

Mr. Roy: He did.

Mr. R. F. Nixon: The Minister of Education.

Mr. Roy: The Minister of Education, I am sorry. I am not infallible.

Mr. R. F. Nixon: The Premier can correct those errors.

Mr. Roy: Mr. Speaker, what has happened in the minister's haste in getting directions —and it was obvious where the directions came from because when the minister came into this House to present this legislation, his hand was shaking and he really didn't know what was in it. It's obvious by the amendment he didn't know what was in it.

Mr. R. F. Nixon: It was obviously the Provincial Secretary for Social Development who was calling the shots.

Mr. Roy: Mr. Speaker, what we are saying basically is that the government, in its haste to get into and take advantage of this confrontation, was prepared to trample on the basic rights of individuals. This party will not be an accessory to this type of legislation, and this member will vote against the legislation on second and on third reading.

Hon. Mr. Grossman: What's the member's solution?

Mr. Speaker: The member for Scarborough West.

Hon. Mr. Davis: At least he will be consistent.

Mr. MacDonald: You bet.

Mr. Lewis: Yes, I will. I must say that I listened to the member carefully in both languages.

Hon. Mr. Lawrence: And didn't understand a word of it.

Mr. Lewis: I understood, I think, what he said in both languages reasonably well but, in fact, still don't know where he stands in either language on the question.

Interjections by hon. members.

Mr. Lewis: As a matter of fact, the one thing I did agree with him on was when he said he can't be the culprit for the sudden government folly. I was reminded of my personally favourite quote about there being another place for the expiation of guilt, another world for the expiation of guilt, but the wages of folly are payable here below. We are certainly paying them now in this bill. There has not been another equivalent height of folly reached by this government in some time.

All of us I think in the opposition at this point certainly—certainly those of us in the New Democratic Party—haven't been able to contain ourselves in expressing opposition to this bill.

I can't remember when I personally have more wanted to be in my place to express opposition to a bill in the last number of years. I don't pretend that I have all my thoughts and feelings on it coherently sorted out, because when I am confronted with this kind of bill I have a tremendous range of personal emotion – from non-comprehension which I admit completely; I don't understand parts of it, I don't know why it was brought in.

It arouses enormous anger in many of us.

I don't understand why the minister is persisting with it. And if it is fundamentally wrong in so many aspects, the only possible redemption that could be found is to withdraw the bill entirely.

There are two sets of reasons on which an attack on this bill could be based. The reasons that are inherent in its contents, I think; and there are those reasons that flow from its introduction.

Now Mr. Speaker, I think the hon. minister over-reacted dreadfully to this situation—or the cabinet over-reacted; I don't suppose the minister alone can take that responsibility. I think the minister went over the cliff of a rational human response.

As a matter of fact, I thought to myself in the last two or three days that he must have been brutalized by some teacher in his youth to engage in this degree of over-compensation. I don't know how else to explain it; and I'm given to Freudian explanations as you'll note—not Marxist explanation, but Freudian explanation.

Hon. Mr. Davis: Sometimes a combination of both.

Mr. Lewis: Sometimes the combination works; indeed it does, and both apply.

Mr. A. W. Downer (Dufferin-Simcoe): It's a combination which will get the member nowhere.

Mr. Lewis: The bill is fundamentally wrong, first, because it need never have been introduced. I want to say Mr. Speaker, that I think that in the minds of a number of thoughtful, reputable, quiet, soft-spoken Tory backbenchers, of which there are legion in this House of course—

Interjections by hon. members.

Mr. Lewis: In the minds in a great many of them, the whole episode is inexplicable.

The minister had a bill, which is general legislation, which he could have put on the order paper sooner, but he finally did. The government has the right to recall Parliament the moment it is faced with a crisis, or a few days thereafter. There was absolutely neither rhyme nor reason to bringing in this legislation—no logic to it, no sense to it; no compulsion; no moral imperative as he talked about earlier this afternoon; none at all.

As a matter of fact, if I can strike a summarium, Mr. Speaker, which I firmly believe in, if the bill hadn't been brought in what would have happened was that of the 16 remaining boards, eight, nine, 10 perhaps, would have settled in the normal course of events. By Jan. 3 the minister would have ended up having to deal with only five or six boards, if that. It may have been, as in Windsor or in Timmins last year, there might have been a few days of dislocation, nothing serious in terms of the community, and then everything would have settled amicably and appropriately and the whole collective bargaining process worked its way logically to the end.

Mr. R. F. Nixon: That's right.

Mr. Lewis: And why the minister was so obsessed with bringing in a bill which has

aroused nothing but anger and antagonism throughout the teaching profession is beyond my understanding; and it is frankly beyond the understanding of a great many of his own backbenchers, who would have liked to see the normal course of events be allowed to take place.

Well instead of logic the minister has a whirling fury around him. He has created more antagonism in three days than was created in the previous three years; I don't know why he has invited it upon himself but he has.

The second reason this bill is fundamentally wrong is that it plays fast and loose with existing contracts, honourably agreed to. The minister and his colleagues have no right—these fetishists for the private sector who have placed so much stock in free enterprise, for whom contractual obligations are holy writ—they have no right to go to individual teachers and say: "You shall not resign. We extend the life of this contract to August, 1974." In so doing they intrude on that provision of a contract which means a great deal to a teaching profession—

Hon. Mr. Wells: The member is wrong, he is wrong.

Mr. Lewis: And where does the minister then not intrude?

An hon. member: What does the minister mean he is wrong?

Mr. Lewis: What is left to the contract which the teachers have entered into? The teachers don't need paranoia, the teachers need only suspicion to see the long arm of the state reaching into other contractual provisions.

Hon. Mr. Wells: The member is wrong.

Hon. Mr. Davis: That should please the member.

Mr. Lewis: That is not just a violation of local autonomy. It is playing fast and loose with contractual arrangements which the government should not engage in and which it is sufficiently uncharacteristic for it to engage in, but I thought it was worth drawing attention to.

The third reason that it is fundamentally wrong, Mr. Speaker, is because it evinces such bad faith on the part of the government, such gross, unacceptable bad faith. The minister talked so proudly in the House about all of the months of his negotiation with the various teacher groups. How he must feel now! Look at the whirlwind he has reaped. All these months of work that he has engaged in in discussing the contents of the Reville report; the 15 months that passed between the tabling of the report and this point in time; all the speeches of preparation; all his wanderings out to the Province of Saskatchewan to find out what they were doing in terms of collective bargaining for teachers; all of this is undermined, thrown to the winds, in one foul and objectionable Act conjured up over a weekend, and then imposed on the teachers on a Monday.

I don't think I am revealing secrets to say that the executive of the Ontario Teachers' Federation meeting last weekend in one of its many discussions about relationships with the minister didn't particularly want to intrude too strongly on the minister. They didn't want to alienate what they felt was a relatively good, harmonious working relationship. Imagine their astonishment, their dismay and their legitimate rage when on Monday morning the minister frivolously, flippantly says to them, "I'm bringing in emergency legislation this afternoon." This legislation runs counter to every single undertaking the minister has made in the previous several months. It violates the intent of the legislation that he has been discussing with them because there was no emergency compulsory arbitration in what he has been discussing with them. It makes a mockery of the whole transaction.

Hon. Mr. Wells: It is consistent.

Mr. Lewis: It is such bad faith that what confidence in the relationship can be expected now? What new definitions has the minister put on the words integrity and trust for the teachers' groups that are supposed to deal with him?

The fourth reason that the bill is fundamentally wrong is that it has destroyed the collective bargaining process for the teachers. The collective bargaining process lies in tattered remnants on the cutting floor of the cabinet's oval room.

Hon. Mr. Wells: No, the member is wrong. Don't give us that.

Mr. Lewis: I don't know whether the cabinet has an oval room, but that is the parallel that comes to mind.

Hon. Mr. Davis: Square—rectangular.

Mr. Lewis: That's right. Rectangular or not—

Mr. Foulds: Square is accurate this time.

Mr. Lewis: —that is where the government hatches its plots, in the cabinet room.

Mr. M. C. Germa (Sudbury): How about the Globe and Mail room?

Mr. Lewis: That is where collective bargaining lies. The minister talks with pride about the eight months during which these various boards have engaged in collective bargaining. The member for Scarborough Centre and the minister talk with pride about the 97 per cent of collective bargaining agreements which are reached amicably.

Let me say something, Mr. Speaker. The 97 per cent figure is true across the country; it's not just the jurisdiction of Ontario. The great majority of labour disputes are resolved amicably. The test of a government and its commitment to collective bargaining is the way it handles the other three per cent. That is the test of a government.

The government's handling of this remaining three per cent in terms of teachers' collective bargaining rights is to take out the jackboots and descend. It is to say that the Damoclean sword falls and that the collective bargaining process is over. The government has failed wretchedly in understanding what collective bargaining is all about.

As a matter of fact the Minister of Labour, while we have disagreed with him about the delays and procrastination that have followed a strike situation in terms of the intervention of his ministry, understands that one doesn't destroy the collective bargaining process by bludgeoning people into submission as the government is doing with this bill. Now was precisely the time to show restraint, to show moderation, to send mediators out in good faith and to provide support for the parties, for the minister to go by himself as Minister of Education. He is not a dilettante. He is not a prima donna. He can humble himself to go to 16 boards in this province and meet with teachers and boards and try to reconcile the differences. The government doesn't have to bring in legislation which has implications for the whole teaching profession, about which I'll speak in a matter of moments. That isn't the way to serve the collective bargaining process, that's the way to destroy the collective bargaining process.

My colleague from Port Arthur was dead on this afternoon. It's so difficult to deal with these things in this House, Mr. Speaker, because such a gulf exists in social philosophy. I understand and appreciate that.

But what my colleague from Port Arthur was saying this afternoon was surely central. With the introduction of this emergency bill, what the government has said to every single board in Ontario, is that they don't have to worry about dealing with the teachers at all on any issue; that there in the wings is the government, forever to be relied upon to move in and provide compulsory arbitration on an emergency basis or a long-term basis, simply on whim.

And that will go for that contentious clause, "working conditions." The government, in a clause called "working conditions" in its general legislation, put the word "negotiable." That is no longer negotiable. Every board in the province knows that if a teacher defines working conditions as pupil-teacher ratios and the board doesn't want to deal with pupil-teacher ratios, there's the Minister of Education hovering just offstage ready to bring in compulsory arbitration.

Hon. Mr. Wells: The member doesn't understand.

Mr. Lewis: That's right, that is what this bill says.

Hon. Mr. Wells: That wasn't what it said.

Mr. Lewis: This bill is worse than that. This bill says that if in fact ceilings have been levied or levelled—however one wants to use the term—across the board for various boards and there is going to be compulsory arbitration, then like the hospital workers, the teachers will have to be settled within those wage constraints.

Mr. Martel: Look what happened to the hospital workers.

Mr. Lewis: A neatly selective form of wage control supplied for the teachers.

Hon. Mr. Wells: It doesn't say that.

Mr. Singer: It doesn't say that? It certainly does say that.

Mr. Lewis: It certainly does. Of course that is what it does.

Does the minister know what has happened to the wages of hospital workers since compulsory arbitration was imposed upon them? Has he looked at any comparison between hospital workers and fairly comparable sectors in the private or public sectors of the economy? Did he not see the brief that was just presented to the cabinet from the hospital

workers begging the cabinet to do something about the degree to which they have fallen behind in economic terms?

That is what the minister is saying to the teaching profession. That is the signal to the teaching profession; and they understand, certainly the leadership understands, that this is just the beginning. The government can't bring in this kind of legislation and pretend that its intentions are honourable; it is suspect from the moment the government introduces it. Twenty-four hours later it has to have 11 or 12 amendments on three sections of the bill.

Mr. Singer: They changed the principle.

Mr. Lewis: None altered the original; for us the principle remained the same. They changed the word "void" to an extension of resignation in the contract.

The government doesn't understand what it has done in this legislation. It may be coming to the government slowly; the dawn of understanding may be occurring as the government sees what is happening around it. But I must say I have never seen a government lurch into a more untenable situation than this one has on this occasion, for no reason whatsoever.

Further, Mr. Speaker, the bill is fundamentally wrong because the minister is the author of his own misfortune. He wanders about the province and in the Legislature saying—sometimes with a pained expression on his face, sometimes jocularly, sometimes with a certain cockiness, sometimes with poignancy: "I am the captive of events."

Hon. Mr. Wells: I never said that.

Mr. Lewis: He is not the captive of events; he is the author of events. He is the minister working on behalf of the cabinet. He imposed the ceilings. He created the situation. It is under his tenure and the tenure of the present Premier that the salaries of teachers have been behind for a very long time compared to a number of other sectors in the work force.

Mr. Deans: And getting further behind.

Mr. Lewis: It is the minister who created this situation. How does he now clobber the teaching profession in order to rescue himself from it?

Mr. Roy: The Premier should make another appointment right away.

Mr. Lewis: Finally, Mr. Speaker, the legislation is fundamentally wrong because the Minister of Education has done something that he should never have allowed to have happen. As a matter of fact, I really think it makes his position completely untenable.

I don't call for his resignation tonight because he's malevolent or because he doesn't handle his ministry in a reasonably competent fashion. We call for his resignation tonight because he has allowed something to happen that should never happen. He has destroyed relationships between the ministry and the teaching profession whom he must represent and assist and support, and that is an absolutely intolerable position for him to have to assume.

Look at what he has done in 72 hours. He has undermined all the previous private meetings; he has radicalized vast numbers of teachers across the province in opposition to the bill; he has clearly alienated the executives of most of the teaching groups which are affiliated to the Ontario Teachers' Federation; I think all of them. He has caused a mass demonstration in front of the Legislature of Queen's Park. Many of the members are being inundated by telegrams and phone calls. The teaching profession says it's threatening to close down the schools next Tuesday. All of this in 72 hours. From calm to chaos in three days, the short biographical sketch of the Minister of Education.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Lewis: What does he do for an encore in a situation like that? What is there left for him to demolish? Does he realize that last weekend was relatively all right in this province around the teaching profession? He was, in fact, establishing something of a rapport. He was, in fact, working at it. There were a lot of people who were aggravated; there were a lot of boards which felt they needn't have been submitted to that to which they were submitted over the past several months. But does he realize how he has injected acrimony into the relationship to a point where it no longer can be sustained?

I don't know how long it will last in the teaching profession in terms of their opposition to the government. I don't know how deep it runs but I may say that the teachers should be mad. Boy, should they be mad! Everything I've said is simply a preamble to what I want to say, which is not much but I guess this has really been, for me, the crux of this whole debate.

I think the importance of the bill is not in what it says. I don't think the clauses of the

bill or the precise definitions of binding arbitration or compulsory arbitration or when a resignation is allowed to come into being or how the arbitration panel is set up, really are central. I think the implications that flow from all of those things are central.

I think what is central to this bill is what he has said upon the introduction of this bill and its associated bill, 275.

When he brought them into the House—and I want to say something about that because it has really bothered me—what he as the minister said, and I think I can quote from the Instant Hansard, was:

> In introducing the legislation today, I should stress that one of its most basic principles is that the welfare of children must be taken into consideration first and foremost.

Mr. Deans: What hypocrisy!

Mr. Lewis: He said: "With all sincerity, Mr. Speaker"—and I think I said once that when a politician starts a sentence with the words, "with all sincerity", we know how much sincerity to invest in the rest of the sentence.

"With all sincerity," the minister said, "Mr. Speaker, I say today"—

Hon. Mr. Wells: Maybe for the member but not for me.

Mr. Lewis: He went on:

> —that I and we cannot allow pupils to be used as pawns in negotiations between teachers and school trustees around the bargaining table. I feel that it would be morally wrong to allow our young people to be victimized by school shutdowns with resultant disruption in the educational process just because the parties cannot reach the agreement.

Mr. Deans: Bloody hypocrite.

Mr. Lewis: What is he talking about?

Mr. E. J. Bounsall (Windsor West): Utter rubbish.

Hon. Mr. Wells: The member and I will never agree; never in 10 years.

Mr. Lewis: No, not really.

Mr. Deans: He is right.

Mr. Lewis: We will not agree.

Hon. Mr. Wells: We never have in 10 years.

Mr. Lewis: I am tempted to say: "How dare you?"

Who is he talking about? Who are these monsters who are going to victimize the children and make them pawns in a sordid game of collective bargaining? Come on, really, who are these people?

Hon. Mr. Wells: It is in the process.

Mr. Lewis: These are the minister's teachers. These are the teachers in the system who serve Ontario. I happen to believe—and I am not going to be a bloody hypocrite about it—that there is a lot in this school system which is not worth salvaging. I happen to believe there are parts of the school system which damage kids. I happen to believe that teacher education could improve materially in the Province of Ontario. I've said so and admitted it and conceded it and many of us in this caucus have said that to the minister.

But the teachers in the province, who work from morning until night in the schools; are these the people he is talking about who are going to manipulate the kids?

Hon. Mr. Wells: That's not what that clause says.

Mr. Deans: That's exactly what it says.

Hon. Mr. Wells: That's not what it says.

Mr. Lewis: Will they make pawns of the kids and victimize the kids. That's exactly what the minister is saying.

Mr. Deans: That's exactly what he is saying.

Hon. Mr. Wells: Mr. Speaker, that clause says the shutdown will be the victimization. It doesn't lay the blame on the teachers.

Interjections by hon. members.

Mr. MacDonald: So the minister destroys the rights of those teachers.

Hon. Mr. Wells: That's exactly what it says.

Mr. Foulds: That's one side.

Interjections by hon. members.

An hon. member: He can't blame that on the teachers.

Mr. Deans: He can't sneak from under that one.

Hon. Mr. Grossman: Talk about sincerity—why is the member twisting that one?

Mr. Lewis: No, I'm not twisting it at all. The minister has gratuitously slandered the whole profession. That's what he does when he talks about victimizing.

Interjections by hon. members.

Mr. Lewis: They heard the minister. They were standing beside him on the steps of the legislative chamber here—

Interjections by hon. members.

Mr. Lewis: The minister said to the teachers crowding around him—his life wasn't in danger, by the way—he said to the teachers—

Mr. Speaker: Order please.

Mr. Lewis: And by the way, the member for Thunder Bay and I were ready to move in on the minister's behalf at any time, at any time.

Interjections by hon. members.

Hon. Mr. Wells: Mr. Speaker, that is what worried me; when those two members started to move in on me.

Mr. Lewis: We were rescuing the minister for greater things.

He said to the teachers who were crowding around him—

Mr. Ferrier: He is in the running for Provincial Secretary for Social Development.

Mr. Martel: To take the provincial secretary's place as a thinker. The government needs a new thinker.

Mr. Lewis: The minister said: "I'm worried about the children." He said: "I'm worried about the children."

Well, what the devil does the minister think the teachers are concerned about? They built this system for him. He wouldn't have an educational system without the teachers; they have worked for his system. Don't treat them that way; don't talk about victimization and about children being the pawns. And then the bill, which reflects those statements, imposes compulsory arbitration on the teachers.

The message is absolutely clear; the cause-and-effect relationship is clear. The minister is slandering the profession; and he doesn't have to engage in that kind of stuff.

Mr. MacDonald: Particularly when he was victimizing the children and playing them as pawns.

Mr. Lewis: Well, as a matter of fact, let's come to that for a moment. That is really the old ruse of the Tory politician. You see, the oppressors single out somebody as the culprit in the hope that everybody else will believe it; and sometimes people do believe it.

So who is the member talking to when people agree with him about the manipulation of kids, about the victimization of kids, about using kids for pawns? Who is he talking to? The minister and I know who he's talking to. He is talking to the people in the Province of Ontario who think the teachers shouldn't have two months off in the summer; who think that their lives are too easy; who think that they make too much money. He is talking to all the philistine instincts in the province, and he knows it; and it's fashionable.

Mr. Martel: And the minister plays on it.

Mr. Lewis: And he thinks it wins him votes. He doesn't care what happens to the teaching profession in the first place.

Interjections by hon. members.

Mr. Lewis: That is who he is talking to; that is what he is talking about. He is showing up every slovenly, anti-teacher prejudice in Ontario; and that is really what irritated a lot of us with the statements that accompanied the bill.

The minister didn't have to make those statements. He can bring in a bill of almost any kind; and he doesn't have to make statements which take one side.

It is easy for the minister to slough it off in one way or another; but I would make this speech to him at any time, under any occasion; and I wanted to ever since the bill was introduced.

I just want to tell the minister that we are not prepared to allow him to set up straw men as an excuse for the errors that have been made in this kind of bill. And the member for Windsor-Walkerville, less impassioned about it than I am, perhaps—and perhaps I am overly so—but he was making the same point when I had to leave here at 6 o'clock today.

It bothered him, too. He has been a teacher much of his life, and he doesn't victimize kids; he doesn't use kids as pawns. And it irritates him when the minister uses that kind of argument.

And I want to turn to the Premier, if I may, since he is here, and to the answers that he give to me in question period

this morning—in question period this afternoon I guess it was—about keeping the schools open, and about the inappropriateness of closing down the schools on Tuesday.

Well, surely the Premier knows that the teachers feel likewise about the school system. Many of the teachers who are in the school system now graduated under his stewardship as Minister of Education, and are now teaching in those schools. He knows them reasonably well. If they've been driven to that kind of extremity that they want to close the schools down on Tuesday, doesn't it make the Premier pause?

I mean, he's dealing with 105,000 people in the province, perhaps—certainly several thousand of them—who have come to the conclusion this bill is so bad that the only way to protest they might have is to close the schools down for a day. I don't know whether it's going to happen, but that's the decision they've come to.

These are the people who were educated within the Premier's tenure. These are the people who graduated into the schools after he became Minister of Education or co-incident with his premiership. These are the people he trained. He has some respect for their judgement. He has some respect for their integrity. He has some respect for their commitment to the system. What is it that moves rational, dedicated teachers to this kind of action next Tuesday afternoon?

A simple little homily from the Premier about the advantages of keeping the schools open doesn't answer that question. What answers that question is a recognition on the part of the government that it has pushed too far; that it has fallen from the tight-rope it was walking; that in fact the teaching profession has been hurt by what the government has done—I mean hurt in emotional terms; and that the teaching profession is angry about what the government has done, and doesn't understand why the government has done it, because no one consulted the teachers, because no one took them into their confidence, because no one let them know it was coming.

The Premier can't simply toss it away with an aside to an opposition member who asks him a question with an earnest response about keeping the schools open. What is happening now in Ontario is as a result of the policies which the Premier has brought down, largely the policies of the ceilings. One has to respect and recognize the tremendously deep feeling of the teachers, and one has to recognize the self-respect that is involved in putting this kind of position to them. I mean the government's effort is to rob teachers of self-respect.

Let me put it to the Premier another way. Let me ask him another question, not unlike the questions that were being put by my colleague from York South. If the Premier hasn't enough respect for the teaching profession to allow them to resign, how does he expect them to teach moral values by precept and example in the schools—to use his quotes? Where is the respect which is due the teaching profession? What is it about this whole strange bill, and this whole strange debate that has so driven the teaching profession to a position of antagonism and anger?

I really think the government has to find an answer to that, because one week ago today it was not true. Today it is true overwhelmingly and it's all been achieved by one completely unnecessary bill.

The teachers in this province have a commitment to the system which is every bit as great as that of the cabinet benches, and no one should make any mistake about that. And no one on the cabinet benches and no one on the back bench can tell any member of this House which teacher has played pawns with the students, or which teacher has victimized students, or which group of teachers in a given board has used the students as pawns or victimized the students.

But I can say, as a parent and as a politician within the New Democratic ranks, and I'd think I'd be right in saying it, that if one pupil-teacher ratio is increased in Ontario in any class as a result of the ceilings, that's victimization. And if one emotionally disturbed kid can't get the psychological support he should have because of the ceilings, that's victimization. And if a whole group of perceptually-handicapped kids can't have the class they need because of the ceilings, that's victimization. And if you have to cut out milk in a certain school board because you can't afford it any longer, that's victimization. And if you have fewer learning materials than are adequate, that's victimization. And that can be documented from the evidence of the schools of Ontario, run by the minister under the aegis of the Premier. What cannot be documented is any failure on the part of the teaching profession which the minister has managed with such dexterity to alienate.

Frankly, the guilt lies over there. This bill should be withdrawn and the minister has to withdraw from his portfolio, because he can't continue to function when the people on

whom he depends no longer have any confidence in him.

I don't know why it is that he has locked himself into this syndrome of a manufactured crisis a week for the last several months. At the moment I don't care about the political implications, but we do care about this foul and objectionable bill. The minister would serve himself well, and education well, were he to bury it.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: Mr. Speaker, I was a little slow in getting to my feet because I had hoped after some nearly five hours of debate we'd have had the odd government representative taking part in it.

Interjections by hon. members.

Mr. Singer: I know the member for Scarborough Centre did and the minister, but I see provincial secretaries who sit and think but who are not joining the debate.

Mr. R. F. Nixon: And the policy minister isn't here.

Mr. Singer: And the policy minister for Education doesn't seem to be here. There are two other policy ministers here who are noted by their silence this evening.

Mr. Bullbrook: The Minister of Colleges and Universities (Mr. McNie) is here.

Mr. Singer: The Premier? I don't know if he is going to get into this debate before it is over. If he does it will be an unusual thing.

Really, Mr. Speaker, as I sit here and listen to the criticism put to the Minister of Education, I must feel a little sorry for him—not that the situation in which he finds himself is not of his own making, but he is the fall-guy. He has been put out in front and he has to take the beating; and the voices of his colleagues to protect him or defend him are noticeably still.

Hon. Mr. Davis: Where was the member for Downsview during the last public question period?

Mr. Singer: It is unfortunate, Mr. Speaker—

Mr. R. F. Nixon: He was debating the Planning Act and the Premier never showed up once.

Hon. Mr. Davis: During question periods, no; he wasn't there.

Mr. Singer: I think, Mr. Speaker, the Premier should spend as many hours in the House as I do and then he would be in a position to talk

Interjections by hon. members.

Mr. Singer: Before the evening's through, Mr. Speaker, I will come to the Premier, and very shortly.

Yes, he is smarting under it, but, wait, he is going to get a lot more before the evening is through. Just wait.

Mr. Speaker: Order please. Could we get to the principle of the bill, please?

Mr. Singer: I am trying my best, Mr. Speaker, but I am being tried beyond my patience by the Premier.

I was feeling somewhat sorry for the Minister of Education who is being made the fall-guy without the support of his important colleagues. The member for Scarborough Centre did a noble job in trying to defend him, but where are the front-benchers who are going to stand up and defend him?

Mr. F. Drea (Scarborough Centre): I didn't try to defend him, I did defend him.

Hon. Mr. Grossman: He has our support.

Mr. Singer: He is being made the fall-guy for years of the Premier's maladministration in the Ministry of Education. The Premier was there; it was a Davis plan, it was a Davis system, and money be damned! The pots were open, take as much as you need.

Hon. Mr. Grossman: We spent too much then, eh?

Mr. Singer: Suddenly we have a new gentleman who heads the government, the Premier, and something has to be done about the tax rate. He has a new kind of responsibility. So we have a cut-back programme.

In education the fall-guy, the Minister of Education, has to put on ceilings. Yes, he does; and he puts them on very badly. They begin to hit the educational system—yes, they do—and then there is concern all over the Province of Ontario.

I have been waiting to hear, and I hope before the debate is over the Premier will join in and tell us why this bill makes some sense.

Mr. Speaker, there is a disease that infects this place when we get close to adjournment time. It does it every year and through every session. I know that since Dec. 3,

which was a Monday, there have been 17 bills introduced. We are on the eve of adjournment.

Suddenly the government has decided that it has important pieces of legislation that it cannot wait for. Remember, Mr. Speaker, we have been in session since February. Suddenly they discover we have bills, like important amendments to the Planning Act, that have no time to go to committee.

Suddenly we discover we have a problem in dealing with boards of education and with teachers; and there was no time to bring it in earlier. There was no time to put a complete bill dealing with educational matters before the House, let it sit for a few weeks, let the public opinion form, have a reasonable debate on second reading, take it to standing committee, hear from the teachers, hear from the trustees, and hear from the parents. No, no; we are in the panic; we are in the last-hour panic.

That's why the government is in trouble. It orders the business deliberately, believing it is going to get away with it in that way. Well, the government is caught. It was caught on the Planning Act. I have said about the Planning Act over the last two days that I believe it was a disgraceful piece of legislation to be brought in in that way and in that short period of time.

Hon. Mr. Davis: The member's colleagues supported the Planning Act.

Mr. Singer: This is even worse. This is even worse.

My colleagues supported the Planning Act?

Hon. Mr. Davis: Some aspects of the Planning Act.

Mr. Singer: Oh, come on, come on, come on!

Hon. Mr. Davis: I heard them.

Mr. Singer: Well the Premier wasn't listening very well. I didn't see him here in the last two days and I didn't hear his voice once in the Planning Act debate.

Interjections by hon. members.

Mr. Singer: Not once, not once. He got the member for Grenville-Dundas (Mr. Irvine), who isn't even on the cabinet benches, to stand up and defend the bill that in so many aspects is indefensible—and he's a nice fellow and another fall-guy. The Premier picks them and he picks them well.

However, Mr. Speaker, let's get back to the principle of the bill.

Interjections by hon. members.

Mr. Bullbrook: The member shouldn't try to draw me into his problems. He should take care of them himself.

Mr. Singer: Let's get back to the bill.

Mr. D. R. Irvine (Grenville-Dundas): That would be good for a change.

Mr. Singer: It's so obvious, Mr. Speaker, that the manoeuvres that the government tries to perpetrate are ill-prepared and are engendered by a feeling of: "We can get away with anything, particularly since we are close to adjournment time."

The point has already been made that the government has twice changed its theme. In fact, my colleague from Ottawa East pointed out that the government has changed the principle, and it has in fact changed the principle.

I suppose it bothered a few good Tories that the government was breaching a contract and that it was saying that people didn't have the right to rescind a contract. Well, the government has modified the bill. And I couldn't help but notice, sitting under the gallery the other night, the Deputy Attorney General in close consultation with the Minister of Education. I wonder what happened to all the legal advisers within the Ministry of Education that the government had to call for reinforcements. I suspect, I have no way of knowing, that the Deputy Attorney General thought it would be nicer if the government phrased it the way its amendments now show.

Mr. Bullbrook: I thought the minister was going to be arrested. I told them I thought he was going to be arrested and he was putting together a defence group over there.

Mr. Singer: I don't think it really matters; it's six of one or half a dozen of the other. The government is breaching a contract.

Let me deal with it for a moment, Mr. Speaker, from the point of view of the legalities of it. What I have here is the permanent teacher's contract form. This is a publication of the Ministry of Education, and I thought it might be well to read into the record some portions of it just to see how serious the government is about its approach.

Clause 6 on the front of it says:

> This agreement may be terminated:
>
> (a) At any time by the mutual consent, in writing, of the teacher and the board.

Mutual consent seems to be somewhat lacking in the principle of the bill that is before us.

> (b) On the 31st of December in any year of the teacher's employment, by either party giving notice to the other, on or before the last preceding 30th of November.

It seems to me that that condition is being met, and this is what is bothering the government.

> (c) On the 31st of August in any year of the teacher's employment, by either party giving written notice to the other, on or before the last preceding 31st of May

I don't think that one is particularly relevant, but those are the three. That's the minister's form; it's his contract; he prints it and he circulates it.

Let's turn over to the back of this document. It is a very interesting document, and this is the one that I would think any normal person would believe is a kind of expression of government thinking, government principle and government belief.

On the back it has in close printing, references to regulations made under the Ministry of Education Act, and extracts from the Acts and regulations under that heading. These words appear:

> The following extracts from certain Acts and regulations are printed here for the information of boards and teachers. The extracts are in force from the time of printing on this sheet on Jan. 1, 1973.

So it is quite current, and any teacher who wants to read what he or she was signing would have read that and said what is on this document would have had some substantial meaning.

> Since the Acts and regulations may be amended from time to time, the actual statutes or regulations should be consulted where more up-to-date information is required.

Now, if there is any more up-to-date information, I suppose we've got to find it, Mr. Speaker, in Bill 274 as amended a few hours ago, or as the announcement of intention to amend.

It is very difficult for anyone entering into a contract to bind themselves for a year to really know what the government is going to have in mind on the 11th hour of the 3rd session of the 29th Parliament—very difficult indeed.

Then if you go down a little further under the heading: "Regulations made under the Teaching Professions Act," I would suppose any teacher who reads this for the first time and signs it, would be suitably impressed—and it was designed so teachers would be impressed by these words. It says this: "(15)2, A member shall not (a) break a contract of employment with the board of trustees."

Mr. Bullbrook: No, but the government can.

Mr. Singer: Oh yes. Or "violate an oral agreement to enter into a contract of employment, unless the board of trustees"—and so on. Well, there you are. There is a declaration of faith that comes out of the Ministry of Education's office and is put before teachers. What do you do with it?

The minister is breaking that faith; he is breaking that contract. And he is breaking it in anticipation of a tragedy that he, in his opinion, believes is about to descend on the good people of Ontario—and he has no idea whether it is coming or not.

Hon. Mr. Wells: Why wasn't the member—

Mr. Singer: The minister sits day after day in other labour matters and waits and waits and waits—as he should.

On the occasion when the lights might have gone out—I was here one night when we had a long debate about arbitration for Hydro, because it was obvious that if the bill was not passed the lights would have gone out; and it was winter time and heat would be denied, and so on. Yes, it was sensible then that we passed a compulsory arbitration bill. And there have been other cases when it was sensible.

But surely, Mr. Speaker, when the government enters into this kind of brief debate they must have some important reason, some compelling reason to bring them to this point. I suggest to you, sir, that there is no important reason, there is no compelling reason why the government should enter into this breach of faith at this particular point in time.

Hon. Mr. Davis: That's not what the member's colleague said.

Mr. Singer: Mr. Speaker, I am sorry, I am sorry this is bothering the Premier so much. He knows he is the author of this difficulty. He knows that it was his misguided pro-

gramme as Minister of Education over many years that has brought us to this point. The Premier is now making the present Minister of Education his fall-guy; that's what thas happened. And that's why the Premier is so restless—

Hon. Mr. Davis: The member for Downsview always wanted us to spend more.

Mr. Singer: That's why the Premier is so restless, and that's why he is interjecting so often. If the Premier is so upset, I would like to hear him get up and get into this debate—and I invite him to do so. I hope he will before it is over, because I think the province needs a word from the Premier to justify this kind of policy. And we haven't had any word from him at all.

Hon. Mr. Davis: I thank the member for the invitation.

Mr. Singer: Now, Mr. Speaker, the other thing—and I'm not trying to prolong this debate out of hand.

An hon. member: The member for Sarnia was not here earlier.

Mr. Singer: I want to make one other remark. The tie in with the ceilings is indeed—

Mr. Bullbrook: It is the waste in administration that the Premier knows about.

Mr. Singer: The tie in with the ceilings, Mr. Speaker, I think is just, almost, an unfortunate thing. What the ministry is saying is: "There must be compulsory arbitration. We are breaching our contract; we are breaching our faith; but we are even putting limits on the compulsory arbitration."

And in subsection 22 of section 22, it says:

> No award that shall be made under this section shall contain any term that would require either directly or indirectly for its implementation the enactment or amendment of an Act or regulation thereunder.

Now that's the ceilings, Mr. Speaker.

Mr. Bullbrook: There's reciprocity for you.

Hon. Mr. Davis: What reciprocity?

Mr. Singer: Now, if you come to a board that has allocated, in their own wisdom—

An hon. member: What portion?

Mr. Singer: What portion? It doesn't matter. Now, X portion of their available dollars is determined by the Minister of Education for things other than teachers' salaries. Having made that allocation and made their commitments and planned their school year, they have Y dollars left over for teachers' salaries. What the government is saying in this legislation is that there is no way, because the minister's strictures are such, an award can be made by any board of arbitration which will exceed what is left.

How can the minister possibly have meaningful compulsory arbitration when he puts a stricture on the top? When he limits it, it makes no sense at all. We have compulsory arbitration for police officers as we should. Some of the awards have bothered some of our municipalities no end but when we took away from police officers the right to strike—in the public good—and enforced compulsory arbitration by statute, we said, if there is a problem you can go to a board of arbitration and the board of arbitration can award whatever it deems fit in the circumstances." There was no ceiling at the top.

Why does the government do it here? Why does it do it in advance of the tragedy? Why do it in advance of any real crisis? Does the minister not have any faith in the collective bargaining process? Why doesn't he let it go and see what happens?

I am not going to repeat what many of my colleagues have said and some of the NDP have already said but there it is, Mr. Speaker. This is a bad bill. It should not be passed and it should not be passed certainly without much more careful consideration. If the government has any courage — the Premier was talking yesterday and he addressed remarks to my leader about intestinal fortitude — if he has intestinal fortitude, he will get into this debate.

Let's hear what he is going to say. If he has intestinal fortitude and insists on this bill going through, let it go to a standing committee. Let it go to a standing committee and let the public come in and let's hear about it. If he doesn't, he is going to take the other way out and is going to force it through and steamroller it through with the government's 78 votes. He will get it through but he will rue the day.

Mr. R. F. Nixon: It used to be 78.

Mr. Lewis: I don't know why the Premier is doing this to himself.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, the hon. member for Ottawa Centre tried to get through to the minister by speaking French.

Mr. R. F. Nixon: Ottawa East.

Mr. Burr: Ottawa East.

Mr. R. F. Nixon: The member for Ottawa Centre speaks another language.

Mr. Burr: I think he failed because he spoke at too great a length so I would like to say to the minister, Mr. Speaker, with your permission:

Τον δ' αρ ὑποδρὰ ριδων προσεφη ποδας ωκυς Αχιλλευς·

Interjections by hon. members.

Mr. Burr: Not only that, but arma virumque cano, troiae qui primus ab oris venit.

Mr. Stokes: He's consistent.

Mr. Roy: There he goes, encouraging the—

Mr. Burr: Having made my point, I shall get back to the principle of the bill.

Bill 274 confirms the government's long-standing denial to teachers of the ordinary rights of collective bargaining enjoyed by many other groups in Ontario. The teachers have long tolerated the lack of bargaining rights because relations between most boards and teachers have been, over the long-run, fairly satisfactory. But the new factor now added to the problem is the government-imposed ceilings on educational expenditures. This has forced boards to cut down on the number of teachers and to enlarge the size of classes.

At what number of pupils in a class the quality of education begins to deteriorate is, of course, a matter of opinion. Probably it differs from subject to subject but it is obvious that the greater the number of pupils, the greater the workload in the marking of essays, projects, tests, etc., and the smaller the amount of time available for a teacher to devote to the individual pupil.

I remember, Mr. Speaker, being in a crowded first-year high school botany class and even at the end of the year the teacher didn't know my name. I must confess that botany turned out to be one of my less favoured subjects and I think that was the reason. Larger classes are the cause of the greatest resentment on the part of the teachers and it may be that the more conscientious the teacher, the greater his or her resentment.

I know teachers who would never have dreamed, five years ago, of protesting, much less of striking. Today these same teachers are in close support of their federations. As the member for Port Arthur has said, elementary budget ceilings are being observed in some areas only because boards seek the least qualified teachers. I know of teachers, Mr. Speaker, who were unable to get elementary school positions in the last year, despite excellent qualifications and excellent recommendations. They could not get the positions because they were too highly qualified, and this is the result of the minister's provincial ceilings.

I don't like to see pupils lose any time from school for any reason, Mr. Speaker; I wouldn't like to see them lose two weeks through a teachers' strike. I don't like to see the 12 days of lost time that the elementary pupils of this province are being deprived of by the minister during this school year, on the grounds they are giving the teachers 12 days a year for professional development or for professional activities.

Some Windsor students lost 13 days of school last year because of teacher strike action. But the minister this year has deprived all the public elementary pupils of this province of 12 days of schooling. Why, no one as yet has been able to tell me. Certainly it wasn't the teachers who asked for it, and certainly it wasn't the parents, many of whom are greatly inconvenienced by the arrangements.

Hon. Mr. Wells: Did the member say the teachers didn't ask for that?

Mr. Burr: No teachers that I have talked to, asked for it.

Hon. Mr. Wells: They didn't want the 12 days?

Mr. Burr: The 12 days of professional activities

Hon. Mr. Wells: Oh, yes, they have been asking for them. The elementary teachers have been asking for professional development days all the time.

Mr. Burr: And you have gone from zero to 12 in one jump. Why not phase it in—two days, four days? Why jump to 12?

Mr. Lewis: Is the minister sure his system won't collapse with 12 days out of school?

Interjections by hon. members.

Hon. Mr. Wells: Don't accuse me of anti-teacher bias.

Mr. Lewis: The minister does have an anti-teacher bias; look at the bill.

Mr. Burr: This was an anti-pupil bias.

Bill 274 would deny not only the right to strike, but also the right to strike by resignation. It would substitute compulsory arbitration. More than this, it would handcuff arbitrators because they would not be allowed to make any decision that would pierce the financial ceilings imposed upon the board whose negotiations were being arbitrated.

Last year in Windsor the arbitrators handed down a decision that put the Windsor board almost $200,000 above its provincially-imposed ceiling. The minister has indicated this amount must come out of the 1974 budget, which of course will have a ceiling that does not provide for this $200,000, which in view of the minister, the board will have overspent in 1973.

Last year, therefore, we thought we had voluntary arbitration for the Windsor board and the teachers, but now we find out that in effect the minister will be retroactively wiping out this $200,000 part of the arbitrator's award. What a strait-jacket that is to put a profession in.

When one compares the government's treatment of teachers with the easy way in which the executive of the Ontario Medical Association unilaterally sets its own generous fee schedules, without more than an occasional tut-tut from the Minister of Health (Mr. Potter), one wonders who has political influence in this province. When one compares the government's treatment of the teachers with the easy victory of the Ontario Dental Association through skilful lobbying of government members of the Legislature—dentists who were able to keep the making of dentures under their own financial control, at a cost to the denture-wearers of the province of several million dollars a year—one again wonders who has political influence in this province.

It is certainly not the hospital workers, it is certainly not the civil service employees, and it is certainly not the teachers of this province. All of these are denied genuine collective bargaining.

Bill 274 and provincial ceilings together handcuff not only the negotiators of the teachers, not only the negotiators of the board, but also the compulsorily imposed arbitrators. I suggest, Mr. Speaker, that this bill be called the handcuff bill, and I for one cannot support it.

Mr. Bullbrook: Mr. Speaker, I am glad to see that the Minister of Government Services (Mr. Snow) is now awake, not that I am going to refer any comment to him at all, because I never do. That has a boomerang effect that leaves me with a residue of doubt, always.

I want to say to the members, there is only one reason I joined the debate for a few moments—and I sincerely regret that my colleague in law school, my close friend, a man for whom I have a very great personal affection, the Premier of Ontario, is not in his place because it is to him that I wish to direct my remarks.

My remarks don't come, through the Speaker, to him as a result of any great knowledge in education. It is because of the fact that I as a layman wonder where we do go in the fields of education, when I see at the 11th hour that we have to impose this type of legislation upon people and fetter what truly are their rights in the context of the money that I have seen spent.

I say to you, Mr. Speaker, now, I harken back to that famous ad in the Globe and Mail that I have spoken of before. I have spoken of that several times. It was in connection with the Lambton Community College. They had embarked on a $14 million capital expenditure programme and they were attempting to invite students to it. We finally found out in the public accounts committee, if the members will recall, that it cost them $2,600 for one advertisement in the Globe and Mail.

This is what the ad said: "Come to Lambton College. 1. Miles of sandy beaches." That was the first criterion. "2. Sixty miles from Detroit." That was the second criterion. "3. No compulsory attendance." That was the third criterion. "4. No final examinations." That was the fourth criterion.

Mr. Sargent: That is a Bill Davis education.

Mr. Bullbrook: I want to say to you, Mr. Speaker, do you know who authored that? It was the very man who sat in his place, and stood this afternoon and with grandiose pride pointed to the Speaker's gallery while those fellows from California were here, and said, "That is where I got the idea. That is where I got the idea."

Well, that is what causes me concern. I make no bones about that. That is what causes me concern. I frankly rise purely to say to the members opposite, as reasonable people, through an eminently reasonable Speaker, that one who is a lay person attempting to raise his children, and his wife's children, and to pay his taxes, and to see them used appropriately, wonders whether we can afford the luxury of direction from that man who occupied that position for

approximately nine years and directed us to tonight.

That brings me to the second point, which is a digression. Isn't it a tragedy that in the 11th hour of this Legislature we have to come to grips with this? Because if the government had undertaken its responsibilities, I suppose, as I have undertaken my responsibilities in connection with this matter, I think last January or February it would have met with OECTA, OTF, OSSTF—give me the initials for the ladies, I can't remember all the initials—but the government would have done that.

Mr. Singer: And he was embarrassed.

Mr. Bullbrook: He would have digested the Reville report dated June, 1972, apparently issued in September, 1972; which we have all read. The minister would have said to himself: "All right, it really is a difficult problem; and I recognize the difficulties."

There isn't a member in this caucus who doesn't recognize the difficulties. I don't want to be partisanly abrasive, but I want to say this: that voting for the introduction of this bill on first reading, of course, is a normal and natural procedure—

Mr. Deans: If the party doesn't understand the bill.

Mr. Bullbrook: We were the first party—

Mr. Foulds: The member keeps apologizing about that. I wonder why?

Mr. Deans: To change their mind.

Mr. Bullbrook: We were the first party to vote against the introduction of a bill on first reading. If members will recall, it was the energy tax bill. We knew that the bill imposed a tax on energy and we were the first ones—we in the Liberal Party—to stand and say that we would not permit the introduction of that bill.

Mr. Deans: We voted against it on first reading.

Mr. Roy: Mea culpa.

Mr. Deans They hadn't even the good sense to follow.

Mr. Roy: The member doesn't know what he's talking about.

Mr. Bullbrook: I don't want to raise the ire of the House. I don't. This matter is not one for either ire or maudling comment about the welfare of children. Surely to goodness no cabinet minister can stand in his place and say to me or say to any of my colleagues that he has a deep concern for the welfare of children—as the leader of the New Democratic Party has said: One would hope that we all have concern for the welfare of children.

But really, what we must concern ourselves with more than anything else is whether we have the right, Mr. Speaker, in education enterprise in the Province of Ontario, to say all of a sudden at this time: "You people will not be able to withdraw your services."

I want to say this as a lawyer—and this is really the point I am attempting to make—I permit the Minister of Education to educate me as far as the sophistication with respect to education itself is concerned; but I take no back seat to anyone in this House as far as my concern for the law.

Mr. P. D. Lawlor (Lakeshore): Be careful about that. The member may end up illiterate.

Mr. Bullbrook: This is the concern I express to the minister. We talked about retroactivity before, and the minister said to me: "You have withdrawn the problem of retroactivity, but you haven't withdrawn the basic problem". My colleague from Downsview touched upon this. The minister can't collectivize this matter. He can't for a moment try to fool us of the people of Ontario by inserting into legislation some context of motivation. He can't do that.

These people who signed contracts didn't sign them by the thousands together. They signed them as individual teachers, undertaking their professional responsibilities. What the minister is doing to them, in effect, is saying: "You don't have the right to withdraw yourself from that contract." The minister rationalized his position this afternoon.

Hon. Mr. Wells: No, that is not right.

Mr. Singer: Of course he did.

Mr. Bullbrook: Mr. Speaker, this is something that should be done right now. Let us now have—as we can on second reading; as the minister knows, I can yield to him—

Hon. Mr. Wells: All right.

Mr. Bullbrook: Now wait a minute. I am prepared to do so. If the minister feels that something that I say is wrong, I yield to him to explain my error. And if I am in error, I'll accept that error. I just want to state to the minister some fundamental thoughts that

I had in connection with the consequences of this statute. That is all I want to do.

Hon. Mr. Wells: We do more than the member does when I am talking.

Mr. Bullbrook: Well, if the minister feels I am wrong, in fairness to the public and our colleagues, tell me where I am wrong. What the minister is doing, in effect, is this: He is taking this basic, permanent teachers' contract—which every teacher in the Province of Ontario, as I understand it, enters into and is involved with the collateral contract as far as wages are concerned—and he is saying he is going to change that—a unilateral change. He is saying that no longer does the contract expire at the end of the year, it expires Aug. 31. That is basically what the minister is saying.

Hon. Mr. Wells: For a certain group.

Mr. MacDonald: That makes it even worse.

Mr. Bullbrook: Now this is very interesting. The minister says, "for a certain group of teachers."

Mr. Deans: For those who are opposed.

Mr. Bullbrook: As I recall, the explanation that he gave this afternoon was that the certain group of teachers were those who were defined in the bill. Right?

Hon. Mr. Wells: Right.

Mr. Bullbrook: They're defined in the bill as being, "teachers who have submitted such resignations shall continue their duties." No, let me read it again. I'm sorry. "In concert or in accordance with a common understanding for the sole purpose of strengthening their negotiating position." That's really the definition of the people. So, the minister makes a judgement on that.

He said to us this afternoon he recognizes there are some teachers who, without purpose of contract negotiations at all, without collective benefit, want to leave. He is going to decide himself who they are, right? That's going to be on the basis, as I understand it, of their method of submitting their resignations. Is that right?

Hon. Mr. Wells: The board will decide.

Mr. Bullbrook: The board will decide. The board of arbitration will decide?

Mrs. Campbell: No. The board of education.

Mr. Bullbrook: The board of education will decide? I'm glad he clarified that. One of the parties to the contract dispute will decide whether or not the other party was in good faith with respect to this bill. Is that right?

Mr. R. F. Nixon: That is worse than it sounds. Couldn't be worse than that.

Mr. Bullbrook: What is the minister saying then? Let him tell me what he is saying. This is what causes me concern. Does he recognize the implication of this type of law? I can understand full well, Mr. Speaker, why he sat there with the deputy Attorney General. He required great advice in connection with this type of legislation.

Mr. Singer: He should have brought it in much earlier, like a year ago.

Mr. Bullbrook: Surely to goodness he must recognize the implications and the licence he is giving to boards of education with respect to this type of legislation? In effect, he is giving them almost arbitrary rights to decide, with respect to an individual teacher, "We believed in the integrity of your purpose. You didn't intend to come back and goodbye and thank you and God bless you and amen. You're not coming back." That's what the law says. That's what that bill says.

Mr. Lawlor: Subjective standard.

Mr. Bullbrook: That's exactly what that bill says. Does he realize that's what the bill gives the board the right to evaluate? He has given no objective criteria at all to the motivation he infers with respect to the legislation. I'll be very interested in listening to the minister in response to that.

Mr. Lawlor: It is the most subjective piece of stuff.

Hon. Mr. Wells: I have explained that.

Mr. Bullbrook: He didn't explain it all and I'm not so obtuse that I can't understand and all the members have recognized that I can understand. The fact of the matter is it's poor legislation. It was poor before it began; it's less poor now but it still remains poor. The essence of my remarks are aside from the legalities of it.

The essence I return to and you'll permit me, Mr. Speaker, one degree of reiteration. We've sat here. I've sat as the minister's colleague now for six years and the tragedy I find myself in tonight is the $2 million a

year for 30 years at OISE; that type of expenditure.

Hon. Mr. Wells: What has that got to do with this bill?

Mr. Bullbrook: I'll tell the minister.

Interjections by hon. members.

Mr. Bullbrook: I'll tell him what it has to do with this bill.

Hon. Mr. Wells: I knew the member would get around to it sooner or later.

Mr. Bullbrook: Mr. Speaker will rule me out of order, I'm sure, being able to digest whether or not it's in order.

The order of this as far as the people and the teachers of Ontario are concerned is the establishment of adequate priorities in connection with our total expenditures in the Province of Ontario. Members have got to recognize, if they sit here with me, aside from the field of education, that this is purely an unacceptable type of priority to establish.

In the context of what the government is doing with respect to Transportation and Communications—which we recognize is a totally important feature of our society—is a capital commitment of $1.5 billion. In the context of the estimates of the Ministry of Health, for purely one year, is $2.5 billion. Both of these are in the context of a total budget of $7 billion. In the context of what I talk about in connection with community colleges and capital programmes, with respect to that particular effort in post-secondary education, is why we concern ourselves. The imposition of those ceilings really isn't arbitration. True arbitration is a reciprocal involvement. Even if one premised that they wanted to accept the concept of compulsory arbitration, as reprehensible as it might be—

Mr. Drea: The member voted for it at the time.

Mr. Bullbrook: —at least they come in true equal fashion to that arbitrator. But they don't because of this bill. Right? They don't.

Mr. Singer: They are tied.

Mr. Bullbrook: The teachers come and say, "This is what we need," and the board comes and says, "This is what the government permits us to give." There is no reciprocity there at all.

In some circumstances, as difficult as they might be and as much as we Liberals recognize that there are times for the total public good that we must impose a reprehensible concept—and that is compulsory arbitration—we can't accept this type of legislation. It is inherently wrong because of the type and framing of the Act. It's inherently wrong because of the context of spending in the Province of Ontario. But more than anything else as far as I am concerned, it really doesn't say and do what it's intended to say and do. It doesn't put the parties truly in a reciprocal position. I am very happy, therefore, to vote against the bill.

Mr. Singer: There are no Tory speakers?

Mr. Roy: Are they relying on the member for Scarborough Centre to defend their position?

Mr. Ferrier: Mr. Speaker, I rise in opposition to this very restrictive, anti-teacher—

Interjections by hon. members.

Mr. Ferrier: —reprehensible and unnecessary bill.

Mr. Foulds: Well said.

Interjections by hon. members.

Mr. Speaker: Order, please. Perhaps the members would permit the member for Cochrane South the courtesy of speaking to the bill.

Mr. Martel: The policy minister should go back and think.

Mr. Ferrier: Thank you, Mr. Speaker. I have already had telegrams from two of the teacher groups in my own riding, the Timmins Association of the Women Teachers' Association and the staff of the Timmins High and Vocational School. They deplore this action that is being taken by the government and the taking away of certain of their rights that have heretofore been granted to them.

A year ago, the teachers of the secondary schools in the Timmins Board of Education system resigned en masse, and more than 90 per cent of the teachers were out. The schools were open, but they really did not function in an educational sense.

Collective bargaining was tough, and it reached a number of impasses. In an effort to mediate, senior officials of the OSSTF and the Ontario trustees' organization were sent up to Timmins to try to iron out the unresolved issues and to reach a settlement.

When their efforts were unsuccessful, the minister sent up a senior conciliation officer,

from the Ministry of Labour, I believe. As a result of his efforts, but still with hard bargaining in a free sense, movement was achieved and a settlement was reached. This was free collective bargaining working, with the resources of the government assisting where necessary.

Mr. Lewis: It's what should have been done now.

Mr. Ferrier: This is what should be done now.

Mr. Lewis: That's right.

Mr. Ferrier: It worked last year. I remember reading a big headline—I believe it was in the Petrolia paper—when the teachers of Lambton were out for a couple of days. It said, in effect: "Lambton member, Lorne Henderson phones Tom Wells; he intervenes and the strike is settled." I think the government has been very timorous this year and has been evading its responsibilities. I think the same things could have happened this year.

Hon. Mr. Wells: It is happening right now.

Mr. Ferrier: But the minister was unwilling to let the free collective bargaining take its course; he was afraid to use his mediators. He didn't even have faith in them.

Hon. Mr. Wells: It's happening right now.

Mr. Bounsall: The bill should be withdrawn.

Mr. Ferrier: And that to me is an evasion of his responsibilities.

Mr. Foulds: Right on. He didn't have faith in his own mediators.

Mr. Cassidy: Not even the member for Lambton.

Hon. Mr. Wells: It's going on right now.

Mr. Ferrier: While education did not function during this period, resulting in some tension and anxiety in the community, nevertheless those students finished their year with a full education. They've gone on to the next year of school or to the universities or community colleges, and they have taken their place without having suffered any ill effects.

Mr. Rhodes: So it was a good idea.

Mr. Ferrier: At the same time they had the educational experience of being indirectly involved in a community labour dispute whereby they were called upon to discuss and evaluate the issues involved.

Mr. Rhodes: Like your colleague said, education is part of the learning process.

Mr. Ferrier: I suggest, Mr. Speaker, that this provided them with a lesson in civics that they could not have experienced in any more compelling way.

Mr. Bounsall: Right on.

Mr. Ferrier: It really did not hurt them but it was an educational opportunity.

Interjection by an hon. member.

Mr. Ferrier: No one likes disruption in our school system. Nevertheless, in a free society every opportunity must be provided to resolve a dispute in a free and open manner where both parties are subject to pressures that are brought to bear upon them.

A year ago, free collective bargaining prevailed in Timmins and succeeded in a freely accepted agreement between teachers and the board of education.

Mr. Speaker: Perhaps the hon. member would find this a convenient spot to break his remarks and move adjournment of the debate.

Mr. R. F. Nixon: A good idea.

Mr. Ferrier moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Thursday, December 13, 1973

Morning Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 13, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 268, An Act to amend the Employment Standards Act.

Bill 269, An Act to amend the Workmen's Compensation Act.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I stood down the third reading of Bill 264. I wonder if the Leader of the Opposition wants me to continue to stand it?

Mr. R. F. Nixon (Leader of the Opposition): I would appreciate it.

Hon. Mr. Winkler: Well, I understand the reason; we will do that.

Mr. D. C. MacDonald (York South): Let's not carry this too far.

Hon. Mr. Winkler: We do it for the hon. member's party. He shouldn't kid himself.

Mr. I. Deans (Wentworth): I am not sure that they do. The House Leader will have to tell us what he just did so we can find out.

Clerk of the House: The 10th order, resuming the adjourned debate on the motion for second reading of Bill 274, An Act to amend the Ministry of Education Act.

MINISTRY OF EDUCATION ACT
(*continued*)

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, in the circumstances that surround this bill, we see another indication of this government stumbling from one crisis to another. I would say that in this past session we have seen more crises develop for the government than in all the four years of the Robarts regime, so that they seem to have developed a real capacity for getting themselves in deeper in every issue that comes along.

Interjection by an hon. member.

Mr. Ferrier: Now I would like to go on from where I was last night, Mr. Speaker.

Mr. F. Laughren (Nickel Belt): The pride of the Tory party!

Mr. Ferrier: I was pointing out the experiences that we had in Timmins last year, whereby an agreement was not reached by Dec. 31 and mass resignations took place, we did have a period where the teachers withdrew their services.

I would just like to say that the strike was a weapon of last resort. They did everything they possibly could to come to an agreement, but agreement could not be reached. The government is saying, behind this bill, that if a strike were to take place it would be a total calamity, that the government could not countenance it. I would say, judging from the Timmins experience, that it did not have the adverse effect the government is trying to say such an experience would have. In fact I would say that some real good came out of it for the secondary school students involved as it opened their eyes to the realities of the wider issues in the community and in the country. It forced them to face up, in a very existentialist way, and to think about labour relations—

Mr. J. F. Foulds (Port Arthur): Well said, well said.

Mr. Ferrier: —disputes and public policies in a very compelling and direct manner.

I maintain the right to free collective bargaining, with the right to strike, is the price free society must be prepared to pay to enshrine civil rights for all citizens and groups, whether they be a majority or a minority.

Mr. Foulds: Absolutely right.

Mr. Ferrier: We have been here and seen hospital workers and civil servants lose this privilege. The Minister of Labour (Mr.

Guindon) said only in very extreme circumstances, with the greatest of reluctance, would he ever support compulsory arbitration such as he piloted through this Legislature some months ago when he put through legislation to end the elevator strike.

Mr. Laughren: He is condoning this one.

Mr. Ferrier: Here we are, seven months later, we see another compulsory arbitration bill before us. It is becoming easier and easier for that government over there to take away rights in their anti-labour and irresponsible stance. Who will be the next to see their civil rights trampled under foot?

Mr. S. Lewis (Scarborough West): That's right.

Hon. G. A. Kerr (Provincial Secretary for Justice): Members opposite said we took too long on the elevator strike.

Mr. Lewis: Yes, they waited too long.

Mr. Ferrier: We must fight this further intrusion on human rights with every weapon at our disposal. We must stand up and be counted.

Hon. W. A. Stewart (Minister of Agriculture and Food): We will, we will.

Mr. Ferrier: Now I see in this morning's paper where a trustee, a fellow by the name of Honsberger—

Hon. Mr. Stewart: We'll stand up and be counted.

Mr. Lewis: The minister surely will.

Hon. Mr. Stewart: Bet your life; right across Ontario.

Mr. Ferrier: Mr. Honsberger is a lawyer and he's editor of the Law Society of Upper Canada Gazette.

Hon. T. L. Wells (Minister of Education): Does the member agree with what he said?

Mr. Ferrier: He says: "Times have changed and teachers should be treated as trade unionists with the right to go on strike."

Mr. Lewis: He said teachers should have the right to strike.

Mr. Ferrier: "The right to go on strike."

Hon. Mr. Wells: He said they shouldn't belong to labour unions.

Mr. Lewis: Well that's what they are headed for.

Mr. Ferrier: That's what they're headed for and the minister is pushing them in that direction.

Mr. Lewis: That's the minister's doing; he put them into the role of trade unionists.

Mr. Ferrier: The minister is radicalizing the teachers.

Mr. Laughren: He is going to regret it before too long.

Mr. Lewis: The minister has gotten all the anti-teacher votes he is going to get, and he has alienated all the teachers.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Lewis: And he didn't have to.

Interjections by hon. members.

Mr. Ferrier: Wacky Bennett made that mistake.

Mr. Lewis: That's what's back of all of this, that's what's behind all this nonsense.

Interjections by hon. members.

Mr. W. Newman (Ontario South): The NDP members are playing politics.

Mr. Lewis: Playing politics? What does this bill do?

Hon. Mr. Wells: Keeps the schools open.

Mr. Lewis: Oh, come on.

Hon. Mr. Stewart: The leader of the NDP is the guy who's playing politics.

Mr. Lewis: There are no schools closed down.

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): How many schools are closing?

Mr. Ferrier: Wacky Bennett had the stupidity to alienate the teachers and—

Mr. Lewis: Yes, and—

Interjections by hon. members.

Mr. Ferrier: —to put them down and enact discriminatory legislation against them. They got involved; and they were talking before the last election in BC as the teachers in this province are talking now.

Mr. S. B. Handleman (Carleton): Don't put all the blame on the teachers.

Mr. Ferrier: They got involved in the electoral process in a way they never did before, and we saw a change in government. I suggest we're going to see a real change next time as a result of this legislation that the government has put before us.

Mr. Handleman: Don't put all the blame on the teachers.

Mr. Lewis: I know all that.

Mr. Ferrier: This government is destroying civil rights and is taking away basic rights from a group that is committed to teaching civil rights in our schools. It is causing a sense of grievance, of injustice and, by your bad law, a disrespect for the law.

Mr. Lewis: Right on.

Mr. Ferrier: It comes right home to this minister. He is supposed to have some kind of a rapport with the teachers of this province; this bill has destroyed that. He's put himself in the position to be elevated to one of the secretariats, I would suggest, because that's the only place he really could sit over there.

Mr. E. J. Bounsall (Windsor West): Only one way or another.

An hon. member: They'll kick him upstairs.

Mr. Bounsall: —secretary or out.

Mr. Lewis: He'll stay in the cabinet; there's no doubt about that. But he can't be Minister of Education any more. He has been destroyed.

Mr. Ferrier: The Provincial Secretary for Resources Development (Mr. Lawrence) would like to change seats with the minister.

An hon. member: He can't even withdraw honourably now.

Mr. Foulds: He might even get Government Services.

Mr. Lewis: They'll put him back in Health. That's not a bad idea.

Mr. Speaker: Order.

Mr. Lewis: The minister knows what will happen to his deputy if he goes to Health.

Mr. Speaker: Order, please.

Mr. Ferrier: A year ago, Mr. Speaker, free collective bargaining prevailed in Timmins and resulted in a freely accepted agreement to go to arbitration between the teachers and the board of education. In those circumstances, I submit, the teachers were on the right side of the fence because the arbitrator found in their favour more than even what they were asking for. So it wasn't the teachers who were at fault. In my opinion, in that situation it was the school board, by its intransigent position, that was at fault.

In that situation there were outside resources available to the parties involved in the dispute that helped to reach this agreement to go to arbitration. The minister reacted positively last year and took the kind of action that allowed free collective bargaining to work toward the reaching of a settlement. I submit that if he was prepared to make the same commitment this year, the same results could take place.

Before the resignations can take effect, the minister almost precludes any last-minute settlement—

Mr. Lewis: Right.

Hon. Mr. Wells: That is just not right.

Mr. Ferrier: —that in all likelihood would have been reached, by saying that they are taking away the right of free collective bargaining to run its course by forcing compulsory arbitration on the teachers. This kind of compulsion is abhorrent in a freedom-loving province. It indicates that rights are being denied one group in this society—a group of responsible, intelligent, conscientious citizens who have acted in a responsible and sensible manner as any citizens should.

Hon. Mr. Stewart: What about the 178,000 students? Aren't they citizens? Don't they have some rights, too?

Mr. Lewis: They support their teachers. They demonstrated for their teachers.

Hon. Mr. Stewart: They aided and abetted them to come here.

Mr. Lewis: Aided and abetted them? The minister doesn't know what he is talking about.

Mr. Ferrier: I've got three children in the educational system, and I have full confidence in the teachers of this province to give my children the kind of education that I expect they should have.

Hon. Mr. Stewart: The member for Scarborough West doesn't know what is going on behind the scenes.

Interjection by an hon. member.

Mr. Lewis: Right! He is smearing the teaching profession.

Mr. Ferrier: I don't accept in any way the taking away of the rights that is being done in this bill. One of the members of this House said when I came in here the other day when the teachers were outside: "Look at the kind of people that we've got teaching in our province. They feel strongly about something and they have got the backbone to come down here and make their wishes known to us."

Mr. J. P. MacBeth (York West): And act like hoodlums.

Mr. Lewis: Act like hoodlums? The teachers were so orderly I couldn't believe it.

Mr. Ferrier: The member looks at them in a derogatory sense and I just repudiate that kind of thinking, right down the line. The more we agree to the cancellation of rights, the greater the threat is that tyranny and oppression will enter in against any group that the government decides to make its whipping boy, while it falls into disrepute with them.

Mr. Lewis: Well said.

Mr. Ferrier: I cannot accept the principle of compulsion embodied in this bill. It indicates overreaction in the government and an inability to allow a heretofore satisfactory process to run its course, to reach a free and acceptable settlement to both parties.

There are, as I said, resources within the ministries of Education and Labour that have not been used this year, but which are available to assist the disputing parties this year as last year. The minister is not willing, apparently, to make the effort at mediation as he has in the past and comes in with this reprehensible bill.

Hon. Mr. Wells: They are being used at the present time.

Mr. Lewis: Being used?

Hon. Mr. Wells: The members opposite don't know what is going on.

Mr. Lewis: What happens if they walk out on Tuesday? How has the minister managed that?

Hon. Mr. Wells: Mediators are being used.

Mr. Lewis: How has he managed that?

Mr. Stokes: The minister has destroyed mediation process. Why didn't he let it run its course?

Hon. Mr. Wells: It is nice to speak when you are knowledgeable.

Mr. Lewis: Knowledgeable? When does the minister ever speak in this House under those circumstances?

Interjections by hon. members.

Mr. Speaker: Order. May I remind the members that this is Parliament?

An hon. member: That's true.

Mr. Ferrier: This bill, Mr. Speaker, is an anti-teacher bill that expresses lack of confidence by the minister in the teachers of this province.

Mr. Lewis: That's right.

Mr. Ferrier: It completely misrepresents them and unjustifiably calls into question their collective integrity, judgement and sense of responsibility.

Mr. Lewis: Exactly.

Mr. Ferrier: I personally have great confidence in the teachers of this province. I strenuously object to the shabby treatment being inflicted upon them by this minister. They deserve much better treatment than this minister is inflicting upon them.

Hon. Mr. Kerr: What is so shabby about compulsory arbitration?

Mr. Ferrier: This government over the years engaged in an era of educational spending that knew few checks and restraints. When it suited their purpose to meet public reaction the government passed legislation in the closing days of a legislative session under the guise of housekeeping legislation to allow them to put restrictive ceilings on future education spending.

This has led in a number of instances to serious restrictions in educational services, as outlined by my leader in his speech last night—services to emotionally disturbed children, services to children with learning disabilities who need extra attention. It has caused the teacher-pupil ratio to elevate so that the teacher has less time to spend with each pupil.

The education process has been greatly affected by these ceilings. It has forced teachers to operate with antiquated, outdated supplies, facilities and equipment.

Hon. Mr. Stewart: That is absolute nonsense and the member knows it.

An hon. member: The member doesn't believe that?

Mr. Ferrier: The minister doesn't like the truth, that's the trouble with him.

Hon. Mr. Stewart: The member doesn't know what he is talking about.

Mr. Ferrier: The discrepancy in grants between secondary and elementary teachers widens, and surely they—

Mr. Lewis: Yes, how does the government defend that discrepancy in grants? How can it be widening the gap—

Mr. Ferrier: How does the government defend the kind of situation where it is asking one group in the educational system to have the same qualifications as another and it expects them to accept less pay and all the rest of it? The government doesn't provide the same facilities in their schools when they are needed, in many instances.

Because of the public reaction to the government's own actions, the government is using the teachers as their whipping boy. In this environment, in a cynical political manner, the government brings in this repressive bill withdrawing basic rights from teachers by imposing compulsory arbitration.

I strenuously object to this bill, to this principle, to this denial of basic human rights and freedoms for what I consider to be a very responsible, conscientious, reasonable and outstanding group of citizens within this province who have served the province and the young people of this province in a splendid fashion throughout the years. They have had the care of the young and I'm happy to entrust my young people, my children, to them for their education.

Mr. Lewis: So does the Minister of Education.

Mr. Ferrier: So does the Minister of Education.

Mr. Lewis: He has kids in the system.

Mr. Ferrier: He has children in the schools.

Mr. Lewis: Suppose the Scarborough teachers would stop?

Mr. Ferrier: I'm saying, Mr. Speaker, that this bill must be opposed. It must be fought every inch of the way, with every weapon at our disposal and I am going to continue to engage in that fight and to use all the influence I have to see that this is done.

I hate the fact that this government is taking an anti-education and anti-teacher stance in this bill and in its whole attitude. It's deplorable and it's got to be fought. The government has got to be changed.

Mr. Lewis: Well done.

Mr. Speaker: The hon. member for Huron.

Mr. J. Riddell (Huron): Thank you Mr. Speaker.

Needless to say, I share the views of my colleagues and many thousands of teachers throughout Ontario regarding the repressive and selective nature of this bill. Due to the fact that this proposed legislation infringes upon individual and group rights, I rise to oppose it.

Mr. Speaker, we in the Liberal Party have been accused of doing an about-face since the first reading of this bill.

Mr. W. Newman: Accused? The party has.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Right on.

Hon. Mr. Stewart: Dead on.

Mr. Riddell: With my limited experience in House proceedings, I have always been of the opinion that members support a bill on first reading if for no other reason than an expression of respect for the member who introduced the bill and an extension of just plain common courtesy.

Interjections by hon. members.

Mr. Riddell: Suppose, Mr. Speaker, we did change our position, which I do not consider to be a cardinal sin?

Hon. Mr. Lawrence: No Liberal would.

Hon. Mr. Stewart: That is why the member is with that group.

Mr. Riddell: We did so as responsible representatives.

Mr. R. F. Nixon: He could have chosen the minister's.

Mr. Riddell: We did so as responsible representatives of the people of Ontario—

Mr. Lewis: If he had, he would have lost.

Mr. Riddell: —with an understanding of our privileges and responsibilities to be able to exercise that democratic right.

Only fools, Mr. Speaker, do not change their minds after judging the merits of a particular set of circumstances. I seem to recall, Mr. Speaker, the change of heart which the government members had regarding the imposition of the energy tax.

Mr. R. Haggerty (Welland South): That was a reverse.

Mr. Riddell: God bless them, I say.

Mr. R. F. Nixon: The Minister of Agriculture was prepared to keep on with the energy tax.

Mr. B. Newman (Windsor-Walkerville): Where is the noise over there now?

Mr. R. F. Nixon: It would have helped the farmers, wouldn't it? He was all for the farmers on that one.

Mr. Riddell: I believe I am correct in saying, Mr. Speaker, that the members of the New Democratic Party have changed their views of regional government since its inception.

Mr. Lewis: That's right.

Mr. W. Newman: And so have the Liberals.

Mr. Riddell: We weren't quite as fortunate in suppressing the imposition of regional government as we were in suppressing the imposition of the energy tax.

What it really boils down to, Mr. Speaker, is that all the accusations and the gobbledygook we have heard in this connection from members to our left and from across the House is—

Mr. E. M. Havrot (Timiskaming): Here we go, details again.

Mr. Riddell: —nothing more than a temporary uncontrolled infestation of political rot. Having said that, Mr. Speaker, I would like to deal with the inappropriateness of this bill.

Mr. B. Newman: Now he's going to get nasty.

Mr. Lewis: Now he can be unkind.

Mr. Riddell: I can't help thinking, Mr. Speaker, that many of the problems which the teachers and the school boards are now encountering stem from the disruption of a system which was working quite well before the former Minister of Education got carried away with some of his wild and extravagant ideas. We therefore can't lay the entire blame of the present upheaval on the hon. minister, the member for Scarborough North; although it was quite apparent to me when he came to Huron county to attend what was—

Hon. Mr. Kerr: He is talking about the Provincial Secretary for Social Development (Mr. Welch), isn't he?

Mr. Riddell: —alleged to be a non-political meeting with the teachers—

Mr. Lewis: Six months' tenure.

Mr. Riddell: —during the spring byelection, that he was stumbling around in the fog. I really should express my gratitude to the minister, however, for if he was displaying a typical example of the competency of this government, then it was not too difficult to understand why a rather dramatic change came about in the Huron riding.

Mr. Speaker, I am speaking for the educators in the area—

Mr. R. F. Nixon: The Minister of Agriculture helped a bit.

Hon. Mr. Stewart: That's right, I stayed home.

Mr. M. Gaunt (Huron-Bruce): He is always glad to help.

Mr. Riddell: —which I represent when I say that there was never a more congenial and harmonious relationship between the teachers and the board of education than there has been of recent time. The board has had a very deep understanding of the teachers' needs and together they have worked for the welfare of the children in an attempt to offer them an education that was second to none.

Mr. Speaker, it was difficult for the people of Ontario to digest the imposition by this government of centralized education; and it has taken a number of years for an isolated school board and the schools operating under its jurisdiction to establish a liaison and a happy working relationship with each other. This bill can do nothing more than disrupt the liaison which has finally been established; and it can do nothing more than generate much hostility all over the province.

Hon. Mr. Stewart: How does the member like the relationship with the member for Perth (Mr. Edighoffer)? What kind of relationship is that between two members? And Perth is right next door to the member for Huron.

Mr. Riddell: This bill, Mr. Minister, once again demonstrates the obsession of this government to wipe out local autonomy in favour of a more concentrated bureaucracy and, yes, even a little dictatorship—a word which I hesitate to use. Mr. Speaker, teachers are violently upset—

Mr. Lewis: It rolls nicely off the tongue.

Mr. Riddell: They are violently upset, as evidenced by this handful of telegrams which crossed my desk over the last two days.

Mr. Havrot: Oh, oh, he hasn't seen anything.

Mr. Lewis: He's right. I have had over 500 telegrams on this so far.

Mr. Laughren: I have had 34 from Timiskaming.

Mr. Riddell: The minister—

Mr. Lewis: No issue—not the sales tax, not the energy tax—has had so much effect.

Mr. Riddell: Mr. Speaker, the minister has—

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): They are just organized.

Mr. Lewis: Organized? This is spontaneous rebellion from teachers—

Interjections by hon. members.

Mr. Lewis: On a point of order.

Mr. Speaker: There can be no point of order. The interjection was also out of order.

Mr. Lewis: I know, but the interjection was recorded by Hansard. I have a point of order.

Interjections by hon. members.

An hon. member: Sit down.

Mr. Lewis: I stood right outside this chamber and alone and heroically saved the Minister of Education from being trampled; and if I hadn't been there, the minister wouldn't be here. He would have been carted off to a better place.

Interjections by hon. members.

Hon. Mr. Wells: On a point of personal privilege, I just want to point out to the House that the member for Scarborough West is speaking in his usual exaggerating manner. He never saved me. I didn't even hear or see him out there—and he wasn't even near me out there as far as I know.

Mr. Lewis: What does the minister mean?

Mr. Ferrier: The minister is beyond redemption on this bill.

Mr. Riddell: Mr. Speaker, the minister has initiated—

Mr. Lewis: The minister and I are together in a photograph.

Mr. Riddell: —a confrontation—

Interjections by hon. members.

Mr. Speaker: Order, order.

Mr. Lewis: Rural Ontario is moving too.

Mr. Riddell: Mr. Speaker, the minister—

Hon. Mr. Stewart: We'll see where the member for Huron stands the next time.

Mr. Riddell: The minister has initiated a confrontation which will drive teachers to a highly unionized structure which will then give them full striking privileges. I would suggest, Mr. Speaker, that the minister is inviting problems which he certainly won't be able to resolve.

Hon. W. G. Davis (Premier): The member's party certainly won't be able to.

Mr. Riddell: I would even suggest that such problems will not only lead to the minister's political demise but also to that of his successor who will be expected to inherit the problems when he has long gone.

Mr. Speaker, I would hazard the guess that there are approximately 105,000 teachers in Ontario who are vigorously opposed to the emergency legislation designed to settle the disputes in those areas where mass resignations have been submitted.

An hon. member: The smell of red herrings around here is overwhelming.

Mr. Lewis: The smell from that side is terrible.

Interjections by hon. members.

Mr. W. Newman: Is the member for Scarborough West's wife mad at him, he is shouting so much?

Mr. Lewis: As a matter of fact—

Mr. Riddell: Mr. Speaker, I regard as morally reprehensible the retroactive nature of the legislation which makes illegal a legal

action taken by the teachers. I describe as totalitarian the imposition of compulsory arbitration where health or life are not in danger. I deplore the emotional factor introduced by the minister in an attempt to justify his actions. I urge the minister to consider the democratic rights of teachers. The rights of teachers to resign en masse to resolve contract disputes is a recognized bargaining technique used by both professionals and non-professionals.

It is unfair and unjust to prohibit the teachers of Ontario from securing satisfactory contractual agreement employing this method. Surely, Mr. Speaker, 105,000 expressions of opinions cannot be ignored by this government. Surely 105,000 educators cannot be all wrong. Surely 105,000 intelligent, respectable, reputable and responsible people—

Hon. Mr. Davis: In other words, if there were only 5,000, the member would be voting for it.

Mr. Riddell: —can be recognized as being masters of their own destiny rather than servants of a master. It is time we stopped treating teachers as second-class citizens and it is time we realized that teachers are responsible people—

Hon. Mr. Davis: It is too bad the member didn't feel that way when he was a trustee.

Mr. Riddell —and that they are capable of handling their own affairs without government interference. Mr. Speaker, I ask the minister to reconsider and give the teachers an opportunity to exercise their democratic right, which I firmly believe will be in the best interests of—and to use the minister's terminology—the pawns who will soon become kings under their leadership, guidance and self-instilled responsibility.

Thank you very much, Mr. Speaker.

Hon. Mr. Stewart: It is unbelievable to hear that from the member for Huron.

Mr. R. F. Nixon: Why doesn't the minister get up and speak? Here's his chance to get up and speak.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. R. F. Nixon: They haven't got anything to say. They haven't got the guts to get up and speak. We haven't had a Tory. Go ahead. Just the member for Scarborough Centre (Mr. Drea) speaks for them.

Mr. Speaker: Order.

Mr. Lewis: Boy, thank God he doesn't speak for me.

Mr. R. F. Nixon: It's state control. That's what he said.

Mr. Laughren: Mr. Speaker, I was somewhat slow in getting to my feet because I really did expect one of the members of the government to get up and speak.

Mr. Lewis: No way.

Mr. Laughren: If they are leaving the government position to be enunciated by the member for Scarborough Centre, then I think that it speaks a great deal about their philosophy on education in this province.

Mr. Lewis: That's right.

Mr. Laughren: I don't intend to dwell on the insignificant, although I do want to make one comment about the Liberals' position.

Mr. R. F. Nixon: Good.

Mr. Laughren: When I hear the member who just spoke, the member for Huron, it seems to me that we have established a new benchmark in regressivity in this province. If the member for Huron had his way, we would go back to the kind of education there was in the 19th century. Not only that, I suspect that the real concern of the member for Huron—

Hon. Mr. Davis: I am only guessing, but that will be the most logical part of the member for Nickel Belt's speech.

Mr. Laughren: No, no, the Premier is wrong. When I get to the minister, that's when it becomes the most logical. The member for Huron's major concern, and I suspect the long-run concern of the Liberal Party, is that the teachers will become a bona fide trade union. That would bother them at least as much as it would bother the government.

We find in this party that the bill is truly offensive. It is offensive because of what it does to the collective bargaining process and what it is going to mean for all future disputes in education between the school boards and the teachers. If it were a necessity, if we thought the government realized there was going to be a disaster in education and regarded this as a necessity, perhaps we could understand why the minister brought this bill in at this time but it is just not comprehensible for us. The only possible way out for the government now, I suppose, is for the minister to resign and perhaps even try to

get a job in the school system and become one of those teachers.

Mr. Lewis: Has he ever taught?

Mr. Laughren: Perhaps he would get a feeling of what it is like to be in a classroom. It might do him a lot of good.

Mr. E. R. Good (Waterloo North): He can't even learn, let alone teach.

Mr. Lewis: No, that didn't occur to me. I've been a teacher.

Hon. Mr. Davis: So have I, in Sunday school. Where was the member?

Mr. Lewis: Africa.

Hon. Mr. Davis: Oh, well.

Mr. J. E. Bullbrook (Sarnia): Listen, if the Premier keeps quoting the Catholic Register what chance does he think we've got?

Mr. Ferrier: The minister hasn't even done that.

Mr. Lewis: And meeting with the archbishop.

Mr. Bullbrook: Meeting with Bishop Pocock for two hours last week.

Interjections by hon. members.

Mr. Laughren: Mr. Speaker—

Mr. R. F. Nixon: His confesions take a little longer than they used to.

Mr. Laughren: It is the political expediency of this bill which makes it so very offensive to us and I've had teachers phone me and say, "Why don't you let them go ahead with it? Why don't you proceed and then pick up the pieces?" I haven't reached that degree of cynicism yet in political life where I would see the government dismantle the educational system in this province. In this party we want to inherit an educational system which has some integrity left in it and we intend to do that.

We have seen the government's approach to education at all levels. At the post-secondary level it has done some things which have alienated the students; alienated the faculties and alienated the administration in the post-secondary field as well.

In this case the government has broken a rule. It has broken one of the rules my colleague from Sudbury (Mr. Germa) refers to frequently and that is it teased the bears. Things were all right when it was putting ceilings on and the teachers viewed the enemy as being the school boards because they were the ones they were negotiating with. That is no longer the case now. It is evident to everyone it is the government who has imposed the ceilings and who is bringing in this legislation.

I suspect, Mr. Speaker, that this legislation is going to haunt this government for many, many years. When it comes crashing down around its ears it'll come crying back to us in this Legislature for help to enact even more restrictive legislation but it won't get our sympathy.

Mr. MacBeth: Have we ever gone to the NDP?

Mr. Lewis: Yes, the government has come to us many times to bail it out.

Mr. Laughren: This government, Mr. Speaker, does not seem to realize that when one posts a sign which says restricted, or posts a sign which says keep off the grass, one is really tempting people to challenge those orders.

Mr. Lewis: That's right.

Mr. Laughren: By imposing this legislation now the government is challenging the teachers. It has thrown down the gauntlet. It has issued a challenge to them, and the leadership in the teaching profession across this province has been given no alternative but to challenge this government.

Mr. Lewis: Right.

Mr. Laughren: They are going to do it, too. We find this legislation very offensive because of what we see it doing in the long run to the educational system. With this legislation, the minister can legislate bodies back into the classroom but he cannot legislate teaching back into the classroom and that is going to be the long-run problem. By taking away the right of these teachers to resign he has violated their civil liberties and in the long run this will come back to haunt him.

The argument that the minister uses and the Premier has used about the students being pawns is truly a superficial argument, grossly superficial. It really is the kind of argument which is used by every anti-labour member of the government in any strike at all. They are always crying about the innocent party in a strike, not seeming to realize that that is part of public pressure and that is part of the collective bargaining process. To use the argument that the students are pawns is not worthy of this government. They

don't seem to realize that the teachers have had no alternative but to submit their resignations.

Mr. E. W. Martel (Sudbury East): What weapons they had, the government took away from them.

Mr. Laughren: This legislation is the Conservative government's inimitable form of guerrilla warfare against the educational system. They are attempting to dismantle the structure from the base, rather than from the top down and that is where they have made their serious mistake. They are attempting to appeal to the kind of anti-student, anti-teacher, anti-educational sentiment that they view as being out there in the public at the present time. But this is a serious mistake.

If educational spending is out of line, then it is certainly not the fault of the teachers and it is not the fault of the students in our system and it is not the fault of the school trustees either; it is the fault of the Conservative government which created this superstructure.

Mr. Lewis: That's right.

Mr. Laughren: The government has set the teachers up as the enemy in this province.

Mr. Lewis: That's right.

Mr. Laughren: That is what has led—

Mr. Lewis: Yes, it has said, "They're the adversaries, the teachers. They are the people who will be the whipping boys."

Mr. Laughren: But I'll tell you, it is a selective number of people who are buying that argument.

Interjections by hon. members.

Hon. Mr. Davis: No, that is not correct and the member knows it; the system has been progressing. It has been progressing for 10 years.

Interjections by hon. members.

Mr. Lewis: That's right. That's what this bill does. This bill singles out the teachers for the government's whipping posts.

Mr. Laughren: It certainly does.

Mr. W. Newman: That's what the member is trying to do.

Mr. Laughren: Well, Mr. Speaker—

Mr. Lewis: The government's position on this issue is one of moral turpitude.

Hon. Mr. Winkler: That speech by the member for Cochrane South was disgraceful.

Hon. Mr. Davis: I like his course on civics; I think it is tremendous.

Mr. Ferrier: I will stand by what I said.

Mr. Laughren: Let me quote to you, Mr. Speaker, the kind of sentiment that this legislation is whipping up in the Province of Ontario, not by the teachers, not by the parents, not by the students, but by the editorial writers in this province.

I would like to quote from the Toronto Sun, and challenge the Minister of Education to deny that it is not this legislation that is whipping up this kind of sentiment.

Hon. Mr. Davis: It was by one of its eminent columnists.

Mr. Lewis: He is paid for it.

Hon. Mr. Davis: Is he?

Mr. Laughren: This is from the Toronto Sun this morning in regard to the teachers.

> Many are behaving like union hooligans [Well, that says something about the attitude of the Toronto Sun toward the trade union movement, doesn't it?] and acting in a manner more reminiscent of the students of the seething Sixties [which figures, because the young teacher of today may well have been one of those intellectual barbarians wanting to burn down universities].

Well, Mr. Speaker, how many of them wanted to burn down the universities in the first place? What a specious argument they are using in the editorial.

Hon. Mr. Davis: Listen, I have heard people talk about burning down universities.

Mr. Laughren: Well, that was when the Premier was the minister of colleges too, not now.

Mr. Ferrier: The Premier has to be seeing the same faces in the crowd that the Minister of Revenue (Mr. Grossman) used to.

Hon. Mr. Davis: But be careful in making remarks about doing that sort of thing—the member would know them.

Mr. Laughren: Yes, well, the Premier provoked them.

Mr. Foulds: Why did the Premier pull the fire alarm?

Hon. Mr. Davis: I didn't provoke them.

Mr. Laughren: I go back to quoting: "What the teachers seek today is not better education, but more power and pay."

Well, that is exactly the attitude that the Minister of Education wants to get out to the public at large. And he has sold it to the editorial writers.

> Frankly when teachers threaten mass resignation we'd like to see the government calling the bluff and dumping them. We'd survive—maybe they wouldn't.

That is exactly what the Minister of Education and the Premier have been saying.

Mr. Lewis: That's right. That is what they have been encouraging.

Mr. Laughren: That is what they have been encouraging.

Mr. Lewis: That's what this bill does.

Mr. Laughren: Mr. Speaker, an editorial like this will make one argument—or the minister will make one argument—that they can't have the schools closed at all, which encourages the editorial writers to come up with this kind of claptrap. But at the same time they argue, "Let them close. Replace the teachers, let the schools close." When it suits their argument it is a terrible thing to have the schools close, and when it doesn't suit their argument it is not.

Mr. Lewis: Is the government going to write a letter of reply to defend its teachers to the Globe, to the Sun, to any of the papers that are attacking them now? No. The government doesn't care what it has introduced; it has opened the floodgates.

Interjection by an hon. member.

Hon. Mr. Davis: The only floodgates that have opened are those letters to the editor of verbosity.

An hon. member: Why doesn't the minister get Ed Stewart to write it for him? He's done it before.

Mr. Lewis: Ah, the verbosity. The Premier will have lots of time. He'll be here many days yet.

Mr. Laughren: It's a very simple cause and effect. The Premier is the direct cause of these kinds of editorials in this province and he has done irreparable damage to the teaching profession. And he will live to regret it.

Mr. Martel: Oh yes, they've done it themselves. They sure have. The member for Don Mills (Mr. Timbrell) was responsible—

Mr. Laughren: Well Mr. Speaker, I won't continue with the editorial because it's too offensive. It's too offensive to the teaching profession; too insensitive to anyone in this province who has any respect at all for the teachers.

Those are the teachers this Minister of Education and the present Premier brought into the educational system. They came in with some kind of hope that they could change the system and could make it a better one. And now they see him dismantling it from the base.

The real culprits in the whole issue, of course, are not the teachers. Everyone knows that. We know it's the ceilings; the ceilings the minister applied in an arbitrary fashion, with complete inflexibility.

The teachers are the ones who are caught in the middle, not the school boards. My colleague from Cochrane South referred to the trustee from York county who was complaining about the school boards having autonomy taken away from them by being put in a strait-jacket through the ceilings imposed by the Minister of Education. Not only does it put a strait-jacket on the school boards, it puts a strait-jacket on the teachers and hampers the entire collective bargaining process.

It really means that collective bargaining is nonexistent, when you give them no room to manoeuvre at all. I really do wonder in which direction the Minister of Education is taking the education system in this province. Is he going to continue with the pretence there is some degree of local autonomy left in this province or is he going to admit that he is aiming for a highly-centralized, highly-bureaucratized educational system?

If he won't admit to that, why does he not return some of the autonomy to the locally-elected trustees who are on the school boards? Because he has completely stripped away any room to manoeuvre at all on the part of the school boards; he is responsible for that and he has done it all in the name of fiscal responsibility and concern for the students.

That's the umbrella the minister is using to justify this regressive legislation. But I can tell him that the only people who have bought it are the editorial writers supporting this government. And they support them for perhaps other reasons than educational purposes as well.

Is it because of the increasing portion of education costs that the province is paying as opposed to the amount the local taxpayers are paying? Is that why the minister sees the need to take more and more control away from the local communities? If anything, Mr. Speaker, we should be moving back to a system where there is more local input and more local control over the education of our children.

With the imposition of the regional school boards, which I appreciate as being necessary because of the special services that could be offered if that was to be done, and it was done of course, then why not, at the same time, allow more local input so people would not feel so completely alienated from the education of their children? The parents in a community today really don't identify with the education of their children at all. And that's why, for example, the Premier has appointed a select committee to look into the utilization of our facilities. One would hope that that's not a committee that looks at the utilization of rooms or facilities, but rather brings the community back into the education of the children.

Mr. Foulds: Right; right on.

Mr. Laughren: When the minister imposes this kind of legislation he is really saying: "Well you can play with your little blocks back in the community, but all the major decisions, all the significant decisions, are going to be made here at Queen's Park." And that's opposite to the direction we should be moving in education in this province.

Mr. Speaker, I'd like to say a few words about the whole problem of classifying education as an essential service. If the minister has a definition of essential services that goes beyond public health and public safety, I'd like to know what it is. I would like the minister to tell us just what he regards as an essential service. I am very fearful, Mr. Speaker, that the term "essential service" will be applied by this government to eventually bring in virtually every service in the public sector.

We've already seen the right to strike taken away from Crown employees; that's questionable as an essential service.

The government has taken it away from the hospital workers. Last spring we saw this government intrude into the private sector and take away the right from the elevator operators; and now we see it moving into education in the province. And it is purely, I suspect, a self-serving argument and cannot be substantiated; and that's why it's so offensive.

My colleague from Port Arthur yesterday used as an example a study that was done, I believe in the United States—

Mr. Foulds: Philadelphia.

Mr. Laughren: —in Philadelphia; in which there was no detectable change or harm done to students who were out of school for a certain period of time—I believe it was about a month. And at the same time, the minister—who surely should be aware of that study, if he is not—can stand up—

Mr. Martel: Better send him a copy.

Mr. Laughren: —and claim that education is an essential service and it would do irreparable harm if the system, or a few schools, were to close down for a week or a month.

I would like to know what the results were—from within his ministry—do they have any results of what happened to the students at Timmins or at Windsor because of the shutdown last year? Do they have any way of measuring that? I suspect they don't have; because it's just not right to stand up and claim that education is an essential service and not be able to justify that claim. It's purely a self-serving argument.

I suspect, Mr. Speaker, that the minister's response to this debate will be "damn the torpedoes and full speed ahead."

But I can tell you, Mr. Speaker, that if he persists with this legislation, there is going to be a new prayer in the school system of Ontario every morning. It'll be a one-liner and it will mainly be—I don't know the exact words—but it'll be something like: "To the Minister of Education; may the sewers of Scarborough back up into his breakfast."

That's going to be the wishes of the educational system in this province—

Hon. Mr. Winkler: That sounds like the member for Nickel Belt!

Interjections by hon. members.

Mr. Laughren: —because of what he's doing, not only to the teachers of this province, but to the students as well and to the trustees. He has done it; that's what the minister has done.

Hon. Mr. Winkler: That took a lot of thought, I am sure.

Hon. Mr. Davis: Is that going to be the member's slogan?

Hon. Mr. Wells: That will be his slogan—

Interjections by hon. members.

Mr. Laughren: I know, too, that another response of the minister—besides his "damn the torpedoes and full speed ahead"—will be that he has faith in the teaching profession; that being the dedicated lot that they are they will go back into the schools; they will not let this legislation affect them; and that they will teach the students in the best way they know how as they have always done.

Well Mr. Speaker, as a former teacher, I've had it up to my eyeballs with that kind of argument. It has always been used against the teachers, not for them. It's never been used for the teachers. It's been used to justify a lack of control over their own working environment, that's why it has been used.

So I suppose the Minister of Education will continue on his merry way, sleeping with editorials from the various newspapers—

Mr. Foulds: As the pillow.

Mr. Laughren: —to cement an already unhealthy relationship. I suspect he already has the Sun editorial framed on the wall of his office. And I really do wonder, Mr. Speaker, who the victims are in this whole dispute?

The Premier and the minister talk of victimizaton. Victimization of whom? Certainly not my children.

Hon. Mr. Wells: I don't think I ever used the word "victim."

Mr. Lewis: No, the minister wouldn't have used that—

Interjections by hon. members.

Mr. Laughren: It has been mentioned that the Minister of Education has children in the system.

Mr. Speaker: Order.

Mr. Lewis: The minister is too bright and too shrewd a politician to use that kind of stuff.

Mr. Laughren: Are the children of the minister the victims in this dispute?

Mr. Lewis: The minister's answer yesterday to me was perfectly in character and I understood that; but the Minister of Education used "pawns" and "victims" pretty easily in his introduction.

Mr. Laughren: That's right.

Mr. Foulds: And provocatively.

Mr. Lewis: And provocatively.

Hon. Mr. Wells: That is right; I explained it.

Mr. Foulds: Look up the word "provocatively."

Mr. Laughren: Does he regard the students in his schools in Scarborough as being victimized by the teachers in Scarborough? They are not being victimized by the teachers in my school.

Hon. Mr. Wells: That isn't what I said.

Mr. Lewis: And if the teachers had gone on strike, would he consider using the students as pawns?

Mr. Laughren: The students are not being victimized in the schools in my area.

Hon. Mr. Wells: I didn't say by the teachers; I said by the "shutdown."

Mr. Laughren: The minister is the one who is going to victimize the students.

Mr. Lewis: Oh yes.

Mr. Laughren: No, no he didn't.

Mr. Foulds: No, he didn't. The minister didn't say the "shutdown;" he never used the word "shutdown" in his entire statement.

Hon. Mr. Wells: I did so.

Mr. Foulds: What did the minister do, get it rewritten?

Mr. Laughren: It is truly remarkable, Mr. Speaker, that the very people whom we ask to teach principles and moral values and fortitude are the ones to whom we're now saying: "We're not going to give you the right to even fight for that right. We're taking that away from you."

Mr. Lewis: That's right.

Mr. Laughren: There's a great deal of contradiction in that position, but the Minister of Education seems to have missed that point entirely. He thinks he can use the educational system as a fiscal weapon, and that's going to do irreparable harm to the educational system.

I would suggest that there can be no quarter given by the teachers' professional organizations, because they must fight for the civil rights of the teachers, for the collective bargaining process for teachers and for the

removal of this minister from his present portfolio.

He really can no longer administer the educational affairs of this province. Who does he represent any more? Certainly not the teachers; certainly not the trustees. He represents the educational bureaucracy, perhaps, but even that is questionable.

Mr. Martel: I hear the Provincial Secretary for Resources Development is looking for a new job. There's a big shuffle going on.

Mr. Laughren: So, Mr. Speaker, it is clear that with this offensive legislation, the Minister of Education has done more long-run damage than this government has done with any other piece of legislation, certainly in the two years I've been here. I hope the Minister of Education will take our request seriously and not regard it as a political ploy when we suggest to him and to the Premier that he really cannot continue in his present portfolio.

Mr. Lewis: It's well done. It is good to see it happen.

Mr. J. Root (Wellington-Dufferin): Mr. Speaker, I've been listening with interest to the speeches that have been made regarding this legislation, and I think I should read into the record the views of the separate school boards of Wellington county. I'm reading from an article in the Guelph Daily Mercury, dated Dec. 11, under a five-column headline:

COUNTY TEACHERS WELCOME ARBITRATION

Wellington county separate school teachers, unlike their colleagues elsewhere in this province . . . welcomed provincial legislation introduced Monday imposing compulsory arbitration in contract talks with their board in voiding their resignations.

Ken Krusky, head of the teachers' negotiating committee, did however express some reservations about the bill.

Some hon. members: Oh!

Mr. Martel: The member should have left that paragraph out.

Hon. Mr. Davis: Unlike the members opposite, we tell the whole story.

Mr. Martel: When is the government going to do that?

Mr. Root: Mr. Speaker, if I can read this without interruption it would be very helpful, because it is a direct quote from the press.

Mr. Martel: He's not supposed to read anyway, Mr. Speaker.

Mr. F. Drea (Scarborough Centre): That's been the greatest asset of the member for Sudbury East.

Mr. Root: To continue:

Local support for the legislation, he explained, stems from the Wellington county teachers' repeated demands for the board to accept voluntary arbitration of their dispute.

Mr. Foulds: Voluntary?

Mr. Root: Going on:

He pointed out the issue may be different elsewhere.

Larry Hollinger, chairman of the board's negotiating committee, said the board, which has resisted attempts by the teachers to send the matter to arbitration, had no choice now but to accept the legislation.

He greeted the move as a step which will keep county separate schools from closing Jan. 3 due to the mass teacher resignations.

The teachers and the board plan to continue their negotiations as scheduled Wednesday night despite the legislation.

Ministry of Education officials briefed the teachers and the board separately this morning about the legislation as part of a series of meetings being held with concerned parties in all affected areas.

Nearly 8,000 public and separate school teachers across the province resigned Nov. 30 (effective Jan. 1), to protest what they saw as the unsatisfactory state of negotiations between them and their individual school boards.

Emergency legislation introduced yesterday, and expected to receive third and final reading tomorrow, voids all resignations submitted as part of the collective protest over negotiations and imposes compulsory arbitration.

A companion bill, also introduced yesterday but not expected to become law for some time, imposes compulsory arbitration in all future contract disputes which are not resolved within a prescribed time period.

The teachers and school board trustees who violate the law's conditions or refuse

to accept the decision of the arbitrators are subject to fines of not less than $200 nor more than $500 for each day the school remains closed.

"We are not opposed to the idea," Mr. Krusky said of arbitration, "obviously not, since we have asked for it. However exactly how successful the arbitration would be would depend on the details governing the arbitration. What is fine for us may not be fine for somebody else. As far as the compulsory aspect of the legislation is concerned we don't like legislation being forced down people's throats."

The board's Mr. Hollinger also referred to the compulsory aspect commenting—

Mr. Martel: The member should have left that clause off.

Mr. Root: I will repeat that because of the interruption.

The board's Mr. Hollinger also referred to the compulsory aspect commenting, "We do not object because we have no alterative. If it will keep our schools from closing I should imagine that the board, parents, students and everyone will be satisfied."

Mr. Hollinger repeated his contention that neither the boards nor the teachers wanted to close the schools. He said he would have to study the legislation more fully before commenting further.

Mr. Krusky said the teachers would have trouble accepting the provincial government guidelines expecting arbitrators to stay within the government ceilings on education spending in determining the size of settlements. The point to remember, he said, is that the guideline is not in the legislation. Hopefully, he said, the settlement will be fair. If the arbitrators' hands are going to be tied then that is another story.

Mr. Krusky said the county teachers would not necessarily be bound by any decision by the provincial association—the Ontario English-Catholic Teachers Association, the OECTA—to fight the legislation. The OECTA and the Ontario Teachers Federation have suggested they may try to have the legislation, especially its retroactivity, annulled by taking it to the courts.

Mr. Speaker, I have read the entire article, I think it should be in Hansard because there have been a lot of statements made here suggesting that the teachers are not in favour of arbitration if they can't settle their disputes by negotiation.

I think we have listened to a lot of speeches here and perhaps outside the Legislature and outside the doors of this Legislature, trying to inflame people. I noticed last night—

Interjections by hon. members.

Mr. Root: I noticed last night during the debate – and I will give the leader of the NDP full marks for his sense of timing and for his use of words – that he didn't enter the debate until the galleries were full; and I noticed as soon as he finished his speech about half the gallery left. I am not too sure how many teachers were in the gallery; perhaps some of them were people they had called in to give support and applause to the leader of the NDP when he was making his speech.

Mr. Lewis: With all of those people who were with us last night we are going to sweep the province next time.

Mr. Root: I wanted the Legislature to know—

Mr. Lewis: I will tell the member something, I wish they supported us. Many of them probably don't, many of them probably won't, but they came here of their own volition, spurred by the Minister of Education not by any New Democrat.

Hon. Mr. Winkler: That's a joke.

Mr. Lewis: That's right. They came here because the minister drew them.

Mr. Root: Mr. Speaker, I learned a long time ago, sitting in this House, that opinions are not always fact. I did notice his sense of timing and how he waited until the galleries—

Mr. Lewis: The member knows how we order the business of the House; how we manipulate the proceedings.

Mr. Root: Mr. Speaker, I thought that in fairness to the separate school teachers of Wellington county, and in view of all that has been said, I felt I should put their views into the record of Hansard and let the Minister of Education know that all the statements made here are not necessarily fact. They have probably been made by people who are trying to create an issue and I said to the Leader of the Opposition outside the House, he guessed wrong once, perhaps he had guessed wrong again.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Good: Thank you, Mr. Speaker. First of all I would like to deal with this bill and say that in my view it has done what many of us hoped would not happen. Most members in this Legislature, I am sure, met with teachers in their area after the Reville report came out. At that time, teachers' associations were greatly concerned as to what recommendations of the Reville report would be implemented.

We do find that Bill 275 has been put before the Legislature after first reading. It is now publicly put forth so that all parties involved can have a look at the bill and can make comment. This is what any group which sees legislation dealing with its future welfare likes to see happen, that is a time for study and a time for input and a time for discussion before the law comes.

Mr. Speaker, you know that I'm not a wild-eyed radical, so what I say here this morning should surely have some impact on the Minister of Education. Never in the years that I have been down here have I seen any group in our society so emotionally involved, so concerned about their future well-being and so irate over actions of this government. Within a few hours after the announcement of the bill all five teachers' associations in the Province of Ontario united as one voice and spoke of their disapproval of this legislation. Before this legislation and the legislation which will result from Bill 275, there really was nothing in law that made any negotiations between teachers and school boards even a necessity.

I'm happy to say in my own county of Waterloo there were good relations between school boards and teachers. The Waterloo county school board did negotiate and negotiated well and fairly; not that there was anything in legislation that said they had to, but they did negotiate. Teachers in our Waterloo county admit this very readily, that they had a good relationship with their school boards and negotiations went on in a very favourable manner. It was not a union hall type of negotiation where they are talking about balance of power and pounding the tables and this sort of thing, but negotiations that went on between a professional group and a school board which had a responsibility towards the taxpayers' money.

I think this was healthy. It was very good. Unfortunately, the introduction of this bill has suddenly destroyed the amicable relationships that existed in many areas between the teachers and the school boards.

Mr. Drea: Any strike is a strike.

Mr. Good: This bill, Mr. Speaker, has also destroyed the negotiations that would have taken place between existing school boards which have not yet reached settlements with their teachers. It has destroyed those negotiations that were going on. In my view, that is the unfortunate part of the introduction of this bill.

A very great concern to me is the fact that this bill is driving many of the teachers in the Province of Ontario into a position which they regret very much. They feel now they have been driven into a position of militancy, which as teachers and responsible citizens of this province they do not enjoy. They feel that they must make their wishes and their demands known. This bundle of telegrams, numbering close to 100, which I received in the last day has indicated time and time again—

Mr. Foulds: Read them into the record.

Mr. Good: —that all the teachers want is their human decency and their civil rights protected so that they are not driven into a position where they have to do things which they haven't had to do through normal negotiations with boards in previous times. They are driven into a position where some of them are saying, let's call in the AFL or the CIO or some union to give us information on how we can best oppose it.

Mr. M. C. Germa (Sudbury): What's wrong with that?

Mr. Good: I'll tell the member what's wrong—90 per cent of the teachers don't want to be driven into that position.

Mr. Germa: What is wrong with that?

Mr. Good: Maybe even 95 per cent don't want to be driven into that position.

Mr. Lewis: That may be so, but the logic of events—

Mr. Good: Mr. Speaker, the minister is driving the teachers into that position against their own wishes. I should say that as a professional group they look very disfavourably on this legislation because this is what is happening.

We are speaking frankly here today, Mr. Speaker, and I think it is the only way in which we can air this whole matter so that the minister can see the errors of his way.

All the telegrams, Mr. Speaker, relate basically the same message. I'll read only one—the one that happens to be on top:

THE PUBLIC SECONDARY SCHOOL TEACHERS OF WATERLOO COUNTY WISH TO EXPRESS GREAT SHOCK AND OUTRAGE IN THE EMERGENCY AMENDMENTS OF THE MINISTER OF EDUCATION ACT FOR THE FOLLOWING REASONS. THIS IS A VIOLATION OF THE BASIC RIGHTS OF CITIZENS OF THE PROVINCE OF ONTARIO. IT IS AN ATTACK ON OUR FREE COLLECTIVE BARGAINING. IT IS BEING RUSHED THROUGH WITH NO OPPORTUNITY FOR INPUT FROM THE PARTIES INVOLVED. I URGE YOU TO SUPPORT THE DEFEAT OF THIS AMENDMENT.

PRESIDENT OF DISTRICT 24, OSSTF

This is repeated time and time again through all the telegrams. I've spoken to people at home, people not involved in the teaching profession. With the exception of one person whom I have spoken to they say: "Well, if the schools do close down, what is so earth-shattering about that?

If it becomes a matter of public concern to the extent that something should be done, then we have within our power the right to be called back here to do something about it. But the point that has to be made today is that the introduction of this bill has destroyed, has completely destroyed, two or three weeks of negotiations that were going on to settle the differences that do exist in certain areas around the province.

An hon. member: Dead on.

Mr. Good: One of the government's main arguments in any legislation that I've been involved in within the six years I've been here is: "No, we cannot destroy contractual obligations that have been made in the past. We cannot do that."

That is the argument this government has used time and time again when we talk about certain types of retroactive legislation.

But here the minister, by the introduction of this bill, has denied the teachers the right of resignation, something which they enjoyed in their contracts with the school board for many years. This is completely foreign to the arguments that this government has given year in and year out in this Legislature about interfering with former contractual obligations.

In my view Mr. Speaker, I think the teachers are more concerned, in the introduction of this bill, over the fact it denies them certain rights than they are concerned in going to compulsory arbitration.

Mind you, Mr. Speaker, the teachers will not submit to the kind of arbitration that was suggested in the Reville report. I think perhaps there is agreement on all sides that that will never be implemented.

An hon. member: Right.

Mr. Good: But at the same time it is the introduction of the bill that has done the damage, more than exactly what the bill says—although much of that is reprehensible.

Interjections by hon. members.

An hon. member: Well said.

Mr. Speaker: The member for Windsor West.

Mr. Foulds: Great fellow.

An hon. member: Sock it to 'em.

Mr. Bounsall: Mr. Speaker, we began this session with a bill imposing compulsory arbitration and we are closing this session with a bill imposing compulsory arbitration.

An hon. member: Shame, shame.

An hon. member: Right on.

Mr. Bounsall: I can't think of a more depressing and disastrous session when this session is reduced to that at the beginning and at the end. Mr. Speaker, I rose on the third day of this session, March 22 last, to outline our party's opposition to the use of compulsory arbitration to settle the elevator constructors' strike.

I said at that time, depressingly prophetic as it turns out, that introducing compulsory arbitration for the first time in a private dispute was a dangerous precedent. I said the action opened wide the doors for the editorial writers of our newspapers to call for the imposition of compulsory arbitration in every dispute in this province that was in danger of running beyond the time that they decide it should.

Well, we've seen what has happened. The Globe and Mail writes two editorials and the Conservative Party panics, buckles under and introduces compulsory arbitration. That's what that compulsory arbitration did. It opened wide the door for this type of editorial. This type of editorial was written and the government immediately buckles under. I assume it will go on and on and on.

Mr. Martel: It's easier every time after the first.

Mr. Bounsall: On the very first occasion that editorials were written—

Mr. Martel: They need help.

Mr. Bounsall: —and editorial calls were made, we have the government slamming compulsory arbitration on another group of employees, sledge-hammering this type of ineffective labour conditions on another group of employees, the teachers in this province. In the current situation, the government has managed to alienate 100,000-plus professional teachers overnight, whose major goal in all of this when they enter into the negotiations, and what concerns them in the negotiations, is to achieve through these negotiations a personal input and voice in the educational conditions in their classrooms. That's their major goal.

This bill lowers the boom in the most repressive way on the teachers of this province as they try, through collective bargaining and negotiations, to make more meaningful the educational experience and conditions in the classrooms for the kids of this province. That's what this bill has done. It has completely destroyed their attempts. And who are better qualified to talk about and be concerned about the educational experience in the classroom than the teachers? They have a voice in the educational conditions and experience in the classroom, and this bill manages to destroy completely that right.

Before I completely leave the Globe and Mail, I will just read one telegram which I received in this respect from St. John's School on Grove St. in Windsor:

THE STAFF OF ST. JOHN'S SCHOOL WISH TO INDICATE OUR SINCERE THANKS TO THE NDP CAUCUS FOR THEIR VOTE YESTERDAY.

I received this telegram yesterday.

IT IS ENCOURAGING TO KNOW THAT YOUR PARTY DOES NOT PLAN TO BE DICTATED TO BY THE GLOBE AND MAIL.

Mr. Bullbrook: Signed Mrs. Ted Bounsall!

Mr. Bounsall: No, it's the staff of St. John's School, Grove St. in Windsor.

Mr. Bullbrook: Sorry. Just a little humour.

Mr. Bounsall: Well, I don't find any of this particularly amusing.

Interjections by hon. members.

Mr. Bounsall: More meaningful educational experience and conditions are what teachers mean when in their negotiations they talk about working conditions. The teachers and the teachers alone know how important that is, and how important it is to be achieved in these negotiations — not anybody else, not the board workers, not some arbitrator or mediator, and obviously not the Minister of Education and the government opposite.

That has been the key issue in this dispute. What's happened? The government has overreacted, overcompensated; for heaven knows what reason, except the Globe and Mail. It shows clearly that the government has no concept and understanding of the free collective bargaining process and how it works in this province in labour negotiations.

Mr. Martel: They put the fear of the Lord in the government, don't they?

Mr. Bounsall: The major statement that the government is making by the imposition of this bill imposing compulsory arbitration on the teachers of this province is that it has a profound mistrust of the teachers in this province and the board negotiators in this province to reach a solution on their own. That's what it is saying with the imposition of this bill.

By wrecking the free collective bargaining process in this shameful way, as the government most certainly has done, the minister shows that he mistrusts the judgement of the teachers and the board negotiators in this province, their motives and their abilities to reach an agreement. The government has absolutely no trust in the two groups negotiating or in the collective bargaining process in this province.

The Minister of Labour at least understands that negotiations between two parties must run their course with minimum interference from outside. Here on this side we have often said to the minister, now is the time when he should get in and take a personal hand in intervening in a strike and settling that situation, but he knows, as well as we do that a strike situation must run its course to get to a point where interference and intervention from outside is going to be meaningful. We certainly didn't get that far in this situation.

It is the two parties themselves which must live with the result, not the members of this Legislature, not the Minister of Education, not the government opposite. It is

the two parties—the boards and the teachers—which must live with the result of the negotiations. If the result is not completely satisfactory to both sides, it must at least be understood by both sides why the result is what it is. Compulsory arbitration with someone coming in from outside imposing a settlement satisfies neither side in the dispute.

This legislation and the actions taken by this government completely destroy the free collective bargaining process with respect to teachers in this province. There is no crisis here. The Globe and Mail decided now is the time, even before the resignations took effect or what might be called a strike took effect, to impose compulsory arbitration. It didn't even wait for it to start. The government decided it couldn't offend the editorial board of the Globe and Mail and so proceeded.

There is no crisis here yet. If left to their own devices, the boards' negotiators and the teachers' negotiators would have continued in the next few weeks. Some of the 16 boards which are facing resignations would have reached agreement in the next few weeks, and teacher resignations would not have become effective at the beginning of January for some of those boards.

With the imposition of this bill, which puts tremendous pressure in a very negative and derogatory way on one side of that dispute—namely, the teachers—the minister has ensured that no meaningful negotiations are going to take place in the next three weeks. One doesn't put one side under the cannon and expect to get a satisfactory result. This is what the premature introduction of this bill and the forcing of it through this House is achieving in this province.

I am very confident that some of the 16 boards, if this bill had not been introduced, would have reached agreement in the next two or three weeks. What happens if the teachers do carry through their resignations? For those boards and teachers which don't settle, the schools are not operating. What happens? The pressure starts to mount on both sides to reach a settlement, internally within themselves and from within the community; and under those conditions, as we saw last January, agreement is reached.

There comes a time in negotiations, quite legitimately, when one or both parties may call for outside help, but that is because they have got to the frame of mind when they feel it is necessary and helpful in the situation. Imposing outside help when that spirit and that feeling has not been reached does not achieve any sort of satisfactory result.

In fact it creates the opposite. It creates frustration. It creates anger. It creates a feeling of not being able to cope themselves with the situation, and it does a lot more harm than it ever does good. When the strikes take place or the resignations take effect the normal pressures to resolve the dispute are there on both sides, and I am confident that within a few days or a very few weeks, without any sort of bill of this type whatsoever, teachers and boards would have indeed settled.

I think back to the situation that occurred with the Windsor secondary school teachers last year; in no way was it a situation which adversely affected the pupils in the area. The strike went on for 17 school days, the resignations took effect for 17 school days. By the final week, unions halls and church halls were open all across the community and classes for a great number of the secondary school pupils were being held by teachers in those halls. The concern and interest that the teachers and the pupils were showing in each other and in the subjects that were being taught under those conditions was exceedingly impressive.

There isn't going to be anyone harmed or hurt if negotiations take that pattern beyond Jan. 2, with the schools closed. That pattern, having been established by the Windsor board in the longest resignations in the period of last January, would be repeated right across the province—and it would not be to the detriment of the pupils of this province, who would have found that sort of involvement with their teachers, under different circumstances, a meaningful educational experience in itself.

By destroying collective bargaining, the minister has completely destroyed the proposition of that arising and the proposition that teachers cannot be trusted to react in an adult manner with respect to their students and to show concern for their students, which was amply shown to be there in the Windsor strike.

Mr. Speaker, I really feel quite agitated by this complete negation of the collective bargaining system in this situation. If we trace the way it could go, some of these boards calling upon the Minister of Education—indeed some had already called upon the Minister of Education, before the introduction of this bill, to send down mediators to enter into their disputes because they felt

at that time that it would be helpful. Now, they can only view a mediator sent into a dlispute by this Minister of Education as being a representative of the minister, and with great distrust. The minister has destroyed the trust that people would have in the system.

Hon. Mr. Wells: That's not right. The member doesn't really believe that, does he?

Mr. Bounsall: I most certainly do.

Mr. Martel: What does the minister believe?

Mr. Bounsall: It would be viewed with great distrust.

Hon. Mr. Wells: The mediators are going out today and tomorrow in some places.

Mr. Bounsall: And it would have been a lot more effective if this bill had not been introduced. That's the whole point.

Mr. Martel: How dumb can one be?

Mr. Bounsall: No group of people can bargain—

Mr. Martel: How can the minister send out mediators when they have got a gun held to their head? The minister is so immature it is pathetic.

Mr. Havrot: The hon. member should watch his tongue.

Mr. Speaker: Order, please.

Mr. Martel: Well, what nonsense!

Mr. Bounsall: No group can bargain and effectively decide points in a dispute with this cannon pointing at them. By doing this, the minister has managed to destroy any bargaining in good faith that could have taken place in the last few weeks of December. He has ensured that his mediators will be much less effective and that the whole atamosphere of collective bargaining, as twisted and distorted as it is by this bill, is not such that it could result in a meaningful result even with a mediator. And when the hon. member for Thunder Bay gets to his feet to give his remarks on this bill, he will outline quite clearly that it was not this bill that caused the Schreiber-Terrace Bay situation to reach a satisfactory solution. The solution was there before this bill was introduced.

The other point I wish to make is that in taking this action, the minister has completely destroyed his effectiveness in ever dealing again in the future with teachers' federations around this province. I don't need to bother to call for the resignation of this minister; it's obvious that he has completely destroyed his effectiveness in ever talking to these groups. I don't see how any of these groups—and they also know this and are telling me this, that there is no way that they, in the future, can trust anything the government says or anything it does because of this action of completely trampling their civil rights.

Mr. Martel: That's like dealing with a chameleon.

Mr. Bounsall: With this bill it tramples upon the civil rights of the very teachers entrusted with teaching civil rights in our schools.

Mr. Martel: Terrible, that's all.

Mr. Bounsall: I don't know what is wrong with the attitude across there that they cannot see that. They have teachers to whom they entrust their children six hours a day, five days a week — teachers in whom they have the most profound distrust, of whom they say: "We are not confident that they can—as adults, people who deal with ideas, people who inculcate values and ideas in our children around this province—we have complete mistrust in them to come to an agreement on their own."

On the one hand the government side says: "Take my children for six hours a day, we trust you to teach them properly." On the other hand it says: "We have no confidence that, in this one area dealing with educational conditions in the classroom and your very great urge to have a voice in what determines that—we don't trust you in that situation. We don't trust you to negotiate properly on behalf of our children to see that meaningful educational experience results from those negotiations, or that at least improved educational experience results."

It was mentioned yesterday that in this province 97 per cent of all dispute situations possibly involving a strike at the end, are settled without resort to strike. That is very true, and what it points out is that in this situation the government is not even going to let the teachers get even close to a position where they would have to resign, where their resignation would become effective and a "strike" situation results.

Many of those 97 per cent of negotiations which come to a successful conclusion have, before that conclusion is reached, taken a

strike vote. The taking of that strike vote, showing the solidarity which the employees, the workers, have with their negotiators, that also has an effect upon the negotiations. The teachers' resignations at the end of November were equivalent to a strike vote taken in any industrial plant and have changed, in many cases profoundly, the tenor of the negotiations.

That the government finds completely unacceptable. Before the strike has occurred it imposes its compulsory legislation without allowing, properly, that sort of change in the collective bargaining system to operate meaningfully and lead to a conclusion. This enforced compulsory bargaining at this time is using a cannon instead of a fly swatter.

I have received, as well, many telegrams from interested and concerned school teachers and schools in my riding, Mr. Speaker. I most certainly will not read them all. One of them is interesting. It comes from a woman employed by the Windsor Board of Education:

STRONGLY OPPOSED TO REPRESSIVE LEGISLATION DENYING TEACHERS THE RIGHT TO MASS RESIGNATIONS.

A teacher in the separate school system:

VIOLENTLY OPPOSED TO THE INTRODUCTION OF LEGISLATION THAT WILL PREVENT TEACHERS–

Mr. Martel: Don't give her name away.

Mr. Bounsall: –FROM SUBMITTING RESIGNATIONS TO STRENGTHEN THEIR NEGOTIATING POSITION.

And there is one other of which I certainly will not give away the name of the school; it's here for anyone to observe–

Mr. Martel: He'll have someone on the staff check it out.

Mr. Bounsall: –and they've got it completely straight:

WE HEREBY EXPRESS OUR GRAVE CONCERN RE THE CONSERVATIVE PARTY'S LEGISLATION GOVERNING TEACHER NEGOTIATION RIGHTS. SUCH LEGISLATION IS CONSIDERED REGRESSIVE AND ENDANGERING TO ALL WHO WORK IN THE PROVINCE OF ONTARIO.

And they put the blame squarely where it should be. Not with the Ontario Legislature, not with the government, but with the Conservative Party's legislation.

Mr. Speaker, I oppose this bill since, with the ceilings in effect across this province, what the government has said, among other things, is that it is going to impose wage controls upon the teachers in this province. Ceilings are imposed, now the government imposes the way in which bargaining must take place. It is saying that in bargaining on the salary side in no way can you pierce the ceilings that have been imposed by this government. What it has said, in effect, as surely as if the minister stood up and said the same phrase: "There are now wage controls imposed upon the teachers of this province." It is the same sort of wage control we have seen operating for the hospital workers across this province where the government has imposed budgetary ceilings on the hospitals.

It has imposed ceilings through hospital budgets, and it's quite clear that the hospital workers in this province have indeed suffered monetarily. We can compare the custodial staff at a hospital with someone performing the same service in our school systems and we find that the workers in the hospitals are paid one-third less because of the operation over the years of compulsory arbitration legislation, under which they find themselves forced to negotiate, in concert with the ceilings imposed upon the hospitals.

In this situation, the minister has created the identical situation for teachers in this province. They know it and they find it completely unacceptable, completely humiliating and they are completely frustrated by it. They know who has done this and they will not forget that it's the Conservatives in this province who have performed that Act upon them.

There's been talk here about pupils being pawns in the game of the teachers. An article appeared in this morning's Globe and Mail, an interview with John Honsberger, chairman of the negotiating committee for the York County Board of Education. Here is the negotiating chairman for the board and he says that the provincial government is using the trustees as pawns in the contract talks with the teachers.

Mr. Honsberger is a Toronto lawyer. He's been a trustee for 20 years; an editor of the Law Society of Upper Canada's Gazette.

A person with this experience is saying it's the trustees who are pawns in the contract talks with the teachers. Provincial spending ceilings and the emergency bill imposing compulsory arbitration and forcing the teachers to work against their will are completely imcompatible for locally elected trustees who are entrusted with making that decision and who find themselves with absolutely no room to manoeuvre.

Hon. Mr. Davis: He also mentioned working conditions. Did the member read that part of it?

Mr. Bounsall: And working conditions.

Hon. Mr. Davis: That is what he doesn't like.

Mr. Drea: He is a nice management fellow.

Hon. Mr. Davis: That is what he doesn't like. Is the member agreeing with that part of the article?

Mr. Martel: That's a red herring. That's the thought in the bill.

Mr. Bounsall: I am saying I agree most wholeheartedly.

Hon. Mr. Davis: In other words, the member likes to agree with part of what he says and disagree with it all?

Mr. Bounsall: Sure! I agree most wholeheartedly with him when he says: "It's the trustees who are the pawns in the game." If he is saying, as the Premier is saying,—

Mr. Drea: This member, above all, defending management!

Mr. Bounsall: —that he disagrees with any voice or input that teachers have on the educational conditions in their schools, I made my statement very clear here. I disagree with anyone who takes that attitude.

Interjection by an hon. member.

Mr. Martel: Is the Premier trying to formulate the headline for the Globe?

Mr. Stokes: The Windsor Star.

Hon. Mr. Davis: I said the Windsor Star.

Mr. Martel: Is he the ghost writer for that?

Mr. Bounsall: The Globe wrote the bill for him.

Hon. Mr. Davis: I don't say I wouldn't like to. If the member is going to quote somebody, let him quote all of it.

Mr. Ferrier: The Premier is around, is he? It's nice to see him.

Hon. Mr. Davis: I've been here. I heard the member.

Mr. Bounsall: The attitude taken, that pupils are pawns in the game and are the victims in this situation, is absolute hogwash.

Hon. Mr. Davis: The member was telling us about trustees.

Mr. Bounsall: I'm talking about this government's statements; the statements of the Minister of Education that students are being used as pawns in the game.

Hon. Mr. Davis: The member has agreed with Mr. Honsberger that the trustees were the pawns.

Mr. Bounsall: I can see why they would feel that way. I can most certainly see why they would feel that way with the ceilings imposed on them and now compulsory arbitration. I can see why they must be frustrated and feeling they have no room to manoeuvre.

I am now talking about the Minister of Education's statement, where he says that it is the pupils in Ontario who are being used as pawns in the game and are victims of this situation. That is absolute rubbish.

The school children in our province go out for two weeks' vacation at Christmas, they go out for another week in March, they go for two whole months in the summer, and we don't find that unusual; we don't find those children's educational progress hurt by that sort of process.

If it should come to this in some of these remaining 16 boards, to have a few pupils in this province out of school for as long as perhaps two or three weeks, their educational progress and their educational life is not going to be hurt or damaged one iota.

Interjections by hon. members.

Mr. Bounsall: Is the minister trying to tell me that all the secondary pupils in the city of Windsor, who were out for 17 days of school, have had their educational experience permanently damaged and endangered by that action? That's absolute rubbish.

Interjections by hon. members.

Mr. Bounsall: We can't see any difference between them and any other secondary school pupil in the Province of Ontario. That layoff absolutely was no detriment to their educational programme. They weren't being used as pawns. They did not suffer any irreparable or permanent damage as a result of that.

In fact, for the first time in a situation close at hand, they were able to inquire into and look into what is collective bargaining, what rights people do or do not have in this province.

Mr. J. R. Smith (Hamilton Mountain): Sick. He's sick.

Hon. Mr. Davis: So this was another civics lesson?

Mr. Bounsall: That was talked out by pupils and teachers, and some of those pupils interviewed board members and trustees in that period so they could get both sides of the story. That in itself was a meaningful educational experience for those pupils in Windsor. In no way did their education suffer or get damaged.

Interjection by an hon. member.

Mr. Bounsall: In no way did their education suffer.

By the third week, as I say, union halls and school halls across the city of Windsor were donated freely for classes in which there were both the teachers, taking their responsibilities seriously, and the pupils who felt that they would like to continue some of their classroom educational subjects. The pupils turned out, teachers turned out, and classes were conducted in those halls across the city of Windsor.

Mr. J. R. Smith: Strike-breaking.

Mr. Bounsall: There was no irreparable damage done. The pupils were not used as pawns and they were not victimized. And any statement by members of the government party, saying this is what will happen by either the process, the resignations, the strike or anything, is pure and utter hogwash. It's the only excuse they have, the only slogan they have over there, for possibly justifying this compulsory arbitration imposition.

Mr. Bullbrook: There is a degree of repetition in the member's speech.

Interjection by an hon. member.

Mr. Bounsall: Mr. Speaker, I oppose this bill since the ceilings imposed on the educational grants have placed the board trustees in an impossible situation, and as a result placed wage controls upon the teachers. The minister has trampled the civil rights of teachers and, in the present negotiations, he has completely destroyed the collective bargaining process in the Province of Ontario.

Mr. Germa: And the Conservative Party.

Mr. Speaker: The hon. member for Rainy River.

Mr. R. B. Beckett (Brantford): Mr. Speaker—

Mr. Speaker: Yes, perhaps the hon. member would permit a brief interruption.

The hon. member for Brantford.

VISITORS

Mr. Beckett: Thank you, Mr. Speaker. At this time, I would like to introduce to the hon. members of this House 61 students from St. Pius and St. Leo's schools in Brantford, accompanied by their teachers and parents, who are here to see this House in action.

Mr. Speaker: I thank the hon. member for permitting the interruption.

Mr. T. P. Reid (Rainy River): Strangely enough, Mr. Speaker, I happen to have a telegram from there opposed to this bill.

Interjections by hon. members.

Mr. Reid: Some of it even signed by the students.

Mr. Speaker, in rising to speak on this bill, let me say at the outset that I oppose this bill and, of course, I will give the reasons. Most of the arguments have already been made as to why this bill should not be passed by this Legislature.

We in this province and in this country, Mr. Speaker, base our institutions on the rule of law. That rule of law states, basically Mr. Speaker, that all men are equal before the law and that the law is well understood and that there is justice, equity and fairness in that law.

That means, to a large extent—at least to me, Mr. Speaker—that you do not change that law in the middle of a court case, or you don't change the law without first giving people the opportunity to know what is going on. What it comes down to, I suppose, is that you just don't change the rules in the middle of the game.

This bill does exactly that. The rules of the game were set; the teachers were entitled to withdraw their services on two occasions during the year. This was well understood by the teachers; it was well understood by the school boards; it was well understood by the public. Suddenly, the Minister of Education introduces a bill that changes these rules—changes the rules of law, the basis on which this society operates.

Probably the worst consequence of this action, at least as far as the teachers are concerned—they've already indicated this, I gather, publicly—is that they do not feel morally bound by this legislation should it pass this Legislature.

What, in fact then, this bill is doing, is raising serious doubts in the minds of a large and substantial part of our population as to the very foundation of this society, and the basis of it. Many people across this province are saying to themselves: "We no longer have any faith in the law of the land because the law of the land can be changed at will by a Conservative majority in this province; our rights and privileges can be rejected arbitrarily—overthrown any time they feel like it."

That simply, I think, is what this bill is about. And I think that people other than the teachers in this province should be giving it serious consideration, because obviously they can be next. If this government, with its majority, can change the rules of the game, change the basis on which we have been operating, in a completely totalitarian manner, then all of us are in a position where we too can feel the brunt and the bluntness of this government's arbitrary and arrogant action.

Therefore, Mr. Speaker, I say to you it's not just the teachers who are involved in this —they are of course, obviously, most directly affected—but every other segment of society, from trade unions through to the people in the professions. Everyone is in the same boat and should examine their rights and privileges in this society carefully and be prepared to defend them.

This bill is inimical, obviously, to human rights and civil rights. It destroys a right and a privilege that the teachers have had and which has been well understood by all involved in this process. Having said that, Mr. Speaker, I'd like to get down to some specifics.

You know, Mr. Speaker, it has been suggested that this is a Machiavellian plot, hatched, perhaps, among those minions in the Premier's office, to divert attention from the problems that this Conservative government has had in the last year.

We don't have to recount Fidinam, the Hydro scandal, the problems in the Ministry of Health, the incompetence in the various government ministries. That goes without saying; we are all aware of that. We all know that the popularity of the Premier and the Conservatives has never been lower, probably, in 30 years. Unfortunately there may be some credence, Mr. Speaker, to the fact that the government has engineered this confrontation between the teachers and the public at large to divert attention from the stumblings and incompetence of the government as a whole.

Unfortunately, it just underlines, really, the stumbling and bumbling of the government by the crudeness and the bluntness with which this bill has been introduced. Almost overnight, it was redrawn; but unfortunately the consequences are the same, to deny people the basic rights they have.

Again, if we were to look at the background of this whole situation we see, for instance, that when the present Premier took over the budget of the Department of Education in 1964, the net expenditure of the Department of Education was $381,041,328. He was the Minister of Education from 1964 to 1971 when the present Provincial Secretary for Social Development took over.

In those seven years the expenditures rose from the $381 million to $1,125,204,865, an increase of 300 per cent. The budget of the Department of Education more than tripled under the tender auspices of the present Premier. If one wants to break down those figures even more, part of the educational expenditures of those years included the grants to universities. As we know there was a separate Department of Colleges and Universities set up with its own budget, so that in reality the budget of the Department of Education, as it relates primarily to primary and secondary schools, more than tripled; it went up by more than 300 per cent.

The next part of the scenario, Mr. Speaker, is the Premier very piously saying we can't afford—

Hon. Mr. White: Would the hon. member permit a question?

An hon. member: No, sit down.

Mr. Reid: I'm always glad to hear from the Treasurer.

Hon. Mr. White: Is the hon. member suggesting that we are budgeting too much money for the educational system in Ontario?

Mrs. M. Campbell (St. George): No, just the high rises.

Mr. Reid: If the Treasurer will listen he'll hear exactly what I'm saying. I think it is quite obvious to everyone.

Hon. Mr. White: If the member would like to cut it back I think he owes it to us to say so directly.

Mr. Reid: I wasn't suggesting that. I'm suggesting it's almost like somebody committing murder and then wringing their hands in despair and saying "Isn't murder terrible?" The Premier is going about the province saying what a terrible thing it is that we have these high education expenditures and that we have to put the lid on spending, when it was under his ministry that these very expenditures rose by 300 per cent. If the minister wants my opinion, I think there is a lot of waste in education spending in the Province of Ontario. I don't think we are getting value for the money we are spending.

Mr. R. F. Nixon: Like OISE.

Mr. Reid: OISE and all those great Pooh-Bahs; there is a prime example. I can tell members there are a lot of people across the province who are concerned about the quality of education their children are receiving and the high cost of it.

Hon. Mr. White: I think the member is pulling our legs He is kidding us along.

Mr. Reid: We will see about that. The only point I am trying to make, Mr. Speaker, is that I find it somewhat hypocritical of the Premier of this province to go around imposing ceiling expenditures when he was the author of the present costs in education. Now, surely that point isn't too difficult to grasp even for the Treasurer.

Well, there are other problems in the Ministry of Education.

Mr. Stokes: Anything else the Treasurer would like to know?

Mr. Reid: Mr. Speaker, I was just going through some of my mail this morning—and this isn't new—but the press release put out by the Canadian Book Publishers Council dated Dec. 4, has an interesting last paragraph in it; and I would like to read from that. In his letter to the Premier, Mr. Matheson said:

> When the industry to which such assistance is directed declines to participate, when several Ontario-based book publishing companies either reduce or arrest their publishing programmes directed at the Ontario curriculum due to the current educational budget restrictions, when Ontario secondary school teachers vote in favour of resigning, and when thousands of Ontario school children boycott their classes in an attempt to generate and improve educational environment, it must be obvious that there exists a problem of crisis proportion.

Well, I think those words speak for themselves, Mr. Speaker. The problem is obvious.

Mr. Speaker, we know how long the government has had the Reville report; almost 15 months. We know that no guidelines or legislation has come out of that until now. The government seems to like operating in a crisis.

I would like to go on record at this point to say to you, Mr. Speaker, that personally I believe the teachers should have the right to strike. If they want to go on strike for higher pay, better fringe benefits, school class ratios, whatever – I think they should have that right.

I do not regard education as an essential service in the province. And I think they should have that right to strike, as most people do; because the thought of a teachers' strike does not raise any threat to life and limb or health or the economy, really, of the Province of Ontario.

Hon. Mr. Wells: Would that be party policy?

Mr. Reid: I believe it would.

Mr. Lewis: One of them.

Mr. Reid: I am stating a personal opinion.

Hon. Mr. Wells: I was just asking.

Mr. Reid: Therefore, I view this legislation as obnoxious to begin with, hostile to democratic principles and not necessary at all.

It has been said by many that if we do have a teachers' strike or withdrawal of services, and the schools are closed down for two or three weeks or whatever time it takes, the world is not going to come to an end. There's not going to be any danger to the public health. There's not going to be any danger to public safety; and it certainly isn't going to ruin the economy of the Province of Ontario. Therefore, the legislation is completely unnecessary.

Mr. Speaker, there are many other things that can be said about this bill; many of them have already been said. I would like to hear, for instance, Mr. Speaker, from the member for Hamilton Mountain, who is a former teacher and who has been listening. Unfortunately, his leader doesn't listen as

attentively as he does. I would like to hear his views on this matter.

Mr. Lewis: He has been here throughout.

Mr. Reid: But I just want to reiterate that this has got to be one of the most obnoxious and arrogant pieces of legislation that we have had in my six years in this Legislature. I am opposed to it on philosophical grounds because of what it does to the concept of justice and fairness and equity in this province.

I find it totally unnecessary; and I would urge that the minister, instead of playing these kind of funny little political games of confrontation and trying to confuse and obfuscate the real issues in the province, give serious consideration to withdrawing the bill and restoring the human and civil rights to the teachers.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Lewis: Now members opposite will get it.

Mr. Stokes: I suggest they brace themselves.

Mr. Lewis: This is the beginning of the end for them.

Mr. C. E. McIlveen (Oshawa): We don't quite know when the member for Sudbury East is speaking. He has been talking ever since the debate began.

Mr. Martel: I am intrigued, Mr. Speaker, by the comments the minister made a few moments ago, when he interjected, and I am intrigued by the comments of the Tory back-benchers. Unlike my leader, I don't happen to believe there isn't one Tory in this building who isn't chortling to himself as he seeks to get revenge on teachers. I've listened to the comments and I've written some of them down. I'm going to quote them in a little while. Tory after Tory is delighted that the teachers are getting axed.

Interjections by hon. members.

Mr. Martel: I will quote the comments. I wrote them down and we'll get to them, but they are delighted by it. That is the power, the lust of 78 who control power and be damned everyone else.

Mr. J. R. Smith: Since the byelections 76.

An hon. member: Here comes the Socialist.

Mr. Martel: There are 76 who are delighted, like little school boys who are going to take their marbles and go home if the rules aren't their way.

Mr. Stokes: Headed by the hon. member for Wellington-Dufferin.

Mr. Martel: And this includes changing the rules in mid-stream.

Mr. Bounsall: They don't have many marbles anyway.

An hon. member: There is not a musician in the crowd either—no trombones.

Mr. Foulds: There is certainly no music in their souls.

Mr. Martel: I am intrigued when the hon. minister indicates that two or three weeks will destroy the educational year of a student. I suppose I have as much experience teaching as anyone in that front bench or probably the next row.

Mr. W. Newman: I doubt it.

Mr. Martel: I suggest before the minister beats his gums that he go and check my record and rating as a teacher and as an administrator.

Hon. Mr. Wells: I have had my fill of the member for Sudbury East.

Mr. Martel: The minister might ask the member for Haldimand-Norfolk's (Mr. Allan's) cousin who was the director of education for the Department of Education what the rating for the hon. member for Sudbury East was as an administrator and as a teacher.

Interjections by hon. members.

Mr. Martel: Let the minister go and get that and then come back and beat his gums, because I am going to come to him in a minute.

Hon. Mr. Wells: The member is just arrogant.

Mr. Lewis: He speaks for the teachers. Who does the minister speak for?

Mr. Martel: If two or three weeks are going to destroy the education of a child for the year then I suspect the child was in bad shape to begin with, but what is even worse the educational system is pretty frail. It is pretty frail, that two or three weeks out of a year are going to cause a student a failure; that's saying that any type

of disorder or disruption went two or three weeks. With all of their experience—some of them with great wealth of knowledge in the teaching profession — members opposite feel they know that.

Maybe some of them should go into a classroom and watch the children who are away for one, two or three weeks for illness. The teachers take them in hand, with extra hours, and bring them right along, so they don't lose their year. There are still those things going on in the teaching profession daily.

Interestingly enough, I am delighted in a way at what has happened, because when I first got into the teaching profession in 1960 I used really to get upset at the apparent lack of militancy in the teaching profession on its right to have a say or an input into education. Teachers have been excluded from that. We have the odd little committee of 50 teachers maybe who used to work on curriculum, and that was it.

The involvement of teachers in the whole business of teaching has been negligible. It has just been totally lacking. The directives used to come from on high. One would get a directive from the Ministry of Education and one had to do this. I recall the introduction of new approach mathematics and the way it was introduced. There was no preparation, there was no real warning. One day it was there, and you were told—

Mr. Foulds: And the next day it wasn't.

Mr. Martel: —"Teach it." And then there was a panic because it wasn't working properly. The teachers weren't involved in the preparation of it. There was no taking the teachers along — you might have got one professional development day somewhere along the line—in the haste to get it introduced. The teachers had no input, as they have never had input, into education in this province.

Not only haven't they had input in curriculum, which is coming a little more now, but they haven't had input on the designs of schools which they are going to work in. All these pods—they weren't created by the teaching profession—

Mr. R. G. Hodgson (Victoria-Haliburton): Who were they created by?

Mr. Martel: —they had no say.

Mr. R. G. Hodgson: Who were they created by?

Mr. Handleman: The member should speak for his own area.

Mr. Martel: Oh, they might have had it two years ago. The real bill that we are now facing isn't as a result of the last two years —the crisis isn't as a result of the last two years. It was the 10 years before that, that's where it all started. And the only people who had say were trustees and the Ministry of Education, and the teachers were out by themselves.

As I say, when I first entered the profession in 1960, I could never understand why we didn't have a say. Maybe I was foolish to assume, as a teacher, I had, or should have had, a say—

Mr. B. Gilbertson (Algoma): The member is speaking for his own area.

Mr. Martel: —in what was going on in the school. Well, we didn't.

Mr. Gilbertson: He is speaking for his particular area. In my area—

Mr. Foulds: Well, that is not a bad thing to do as a member of this Legislature, dummy.

Interjections by hon. members.

Mr. Speaker: Order please. I think the hon. member should retract that interjection, it is not parliamentary. It is not proper to use that language at all.

Mr. Foulds: Mr. Speaker, I retract the last word of the interjection.

Mr. A. Carruthers (Durham): He is a bad example of the profession, he is.

Mr. P. D. Lawlor (Lakeshore): Is it parliamentary to say nincompoop?

Mr. Martel: Well, Mr. Speaker, I want to—

Mr. M. B. Dymond (Ontario): He is a fine example of a teacher. I am glad my children don't attend his school.

Mr. Martel: —I want to make this point.

Interjections by hon. members.

Mr. Martel: You know, Mr. Speaker, I get intrigued with parliamentary niceties.

Mr. Foulds: Would Hansard please get that on the record? The member for Durham says the statement I made yesterday was a good one.

Mr. Martel: These people are more concerned with parliamentary niceties than with gut issues. They can all get hung up on parliamentary niceties.

Interjections by hon. members.

Mr. Martel: What about the parliamentary niceties of this bill and what the government is doing to the teaching profession? Maybe they should express a little concern about that. Maybe the government members would get up and express some concern about what they are doing to those people.

Mr. Dymond: Stick to the bill.

Mr. Martel: Stick to the bill? The member for Ontario is the one who was flapping his yap about parliamentary niceties.

Mr. Dymond: The member should talk to some of the parents.

Mr. Martel: About parliamentary niceties.

Mr. Carruthers: And the students.

Mr. Martel: And the parents.

Mr. R. G. Hodgson: How could a teacher like the member for Sudbury East?

Mr. Martel: We'll talk about the parents. They have been footing the bill, which the government allowed to get out of hand a long time ago, because it remained in the Dark Ages until the Sixties in the educational field—and we are going to come to that in a minute.

I want to answer the member for Algoma though. I happen to know most of the teachers in his area through the federations I work with. I went into that area long before I was a member of this Legislature—long before—with the teachers' federation. And if the member is telling me that the teachers in Algoma and Sault Ste. Marie have any more input into the educational system of Ontario than we did in the Sudbury area, he doesn't know what he is talking about.

He doesn't know what he is talking about because teachers, right across this province, have been alienated. It is changing a little, although not that significantly. But they have never had an input into education, really. On the periphery, they do.

Mr. Lawlor: Now it's been put back 50 years.

Mr. Martel: Yes, and now it's gone back 50 more years. The government has just set it back that far.

But shortly after I got involved in teaching, I could feel this unrest. Those of us who felt it at first, we were the militants, we were the radicals. We were this, that and the other thing as we came to conventions and we demanded of our federation that there be a more direct approach with the government through the Ministry of Education than there had been in the past. We used to tell them: "Get up off your knees, and negotiate in a frank, honest-to-goodness manner," and it was never accepted, in the early Sixties—1961, 1962, 1963, 1964.

Strangely enough, I guess it must have been in about 1964 or 1965, as a result of some problems in Windsor, the ferment increased. Ultimately, I think, the Windsor group handed in their resignations. In the process those teachers in the Sudbury area handed in their resignation. That's tough. The one weapon teachers have is resignation. I have opposed it constantly. I have never supported the principle that one should have to hand in one's resignation as the last weapon in order to try to get a decent contract. Some teachers have been with the board for 20 years and over a pay dispute or some issue the minister is making them put their names on the dotted line to say they are resigning. I have opposed that constantly.

I watched friends of mine who got caught in the Sudbury hassle a couple of years ago, five or six years ago. They had to sign it; some of them were up in years and had been teaching for maybe 25 or 30 years. Can the minister imagine the fear in that group as they wrote out the resignation which maybe they wouldn't get back?

That's the only weapon they had all those years because the government wouldn't give them the right to strike. It didn't set up machinery in order for them to have a method of collective bargaining properly. The one weapon they did have, the minister has taken away today. If he doesn't call that emasculating them, I want to know what he would call it.

I opposed that then as I oppose it now because I don't think people should have to resign their jobs in order to get meaningful bargaining. This is the only group in society which has to do it. We don't see the doctors and the dentists doing that; they go out and they set their fee.

My friend to the left of me says: "We negotiate." I want to know how the government negotiates. I ask the question how can one negotiate when he's a dentist or a

doctor? One walks into the room and gets the work done and they send a bill. If that's negotiation, that's the kind I'd like if I were teaching. That's real negotiation.

Mr. J. R. Rhodes (Sault Ste. Marie): Would the member pay for his own pension?

Mr. Martel: Sure, at the rate I could charge.

Mr. Lewis: On $72,000 a year gross, he could manage it.

Interjections by hon. members.

Mr. Martel But the member negotiated it, He fooled them.

Mr. Lewis: That is not bad either.

Mr. Martel: It's pretty good any way one looks at it. It's a pretty good way of negotiating.

But the government would get at the teachers. The one weapon they had it has taken away from them, and it wasn't a weapon anyway, it was a wrong principle—25 years and have to resign to get an increase in salary. What a stupid way of doing things. I indicated early in my years as a teacher that this was wrong.

Over the years, a whole series of things happened. This started to gnaw at the teachers because as the bargaining got tougher teachers were being forced to resign. This was a bad weapon because there was no security for them. Why do they have to give up 25 years of security as the result of one series of bad negotiations? Other things started to creep in, though, like curriculum changes without teacher involvement, and the Hall-Dennis report.

Everyone shot off his mouth about the Hall-Dennis report; a great report. What has the Ministry of Education done since that was introduced to get the teachers thoroughly involved and to introduce what is in the Hall-Dennis report? What has happened out there since the new system was introduced is that the parents don't understand—I say this for the member for Ontario now—what the Hall-Dennis report was about. They haven't got a clue. Parent after parent comes to me and says: "Gee whiz. This new system—there is no discipline. They are going wild. It's crazy. I don't understand it."

What's the ministry done? The person who has been on the firing line since that came in has been the teacher. What a pathetic amount of assistance from the ministry there has been to help the parents understand what is going on. Leave it to the teachers; leave it to somebody else but don't bother the minister.

Mr. Foulds: Or the provincial secretary.

Mr. Martel: Or the minister before him. After the Hall-Dennis report, as I say, the parents didn't know what to expect. The teachers really didn't know what was going on; a lot of teachers have totally misunderstood Hall-Dennis. And what has flowed from those sacred halls called the Ministry of Education that has guided or assisted? Not much. In fact, at times I think the ministry wishes that that report had never come to light.

One of the major problems, of course, is that if we are going to have Hall-Dennis, we will have to change the whole method of teaching—and there's the weakness in this educational system, the training for teachers. After the first month in teachers' college. I might as well have stayed home the rest of the year. The teaching of child psychology was so totally useless and totally irrelevant it might as well not have been there.

In a complex society we should be reinforcing teachers' knowledge of how to work with different children in a complex situation. But this is non-existent. And as I talked to the teachers who were graduating in the last couple of years I learned it was almost the same.

Mr. J. R. Smith: Not in Hamilton.

Mr. Martel: Well, I have talked to people from Hamilton, and basically it isn't much different. As for what the teachers are getting prepared for, ask a new teacher what they feel like when they go into a new classroom. It is as though they walked into the room, somebody pulled the door shut and said; "Go to it, gang." That's really what it is like, and the member would say so if he would only get up and be honest about it. The minister shakes his head. Well, I suggest the minister—

Hon. Mr. Wells: The hon. member has a pretty low opinion of the teachers.

Mr. Martel: No, I have a tremendously high opinion of what the teachers have done, considering the lack of training they have had.

Mr. Ferrier: He just has a low opinion of this ministry.

Hon. Mr. Wells: Excuse me, but the hon. member is much more cynical than I, be-

cause I think most of them are doing a fine job.

Mr. Martel: What they have done has not been because of this ministry, but despite it. Because of their dedication to kids, they have gone out and they have made it work. It is not because of any type of help that they have received in teachers' college.

I know some of my friends in the teachers' colleges will be upset by those comments—

Mr. Rhodes: Well, I will have to agree with that.

Mr. Martel: That's too bad, because some of the colleges are a catastrophe in terms of what they have prepared teachers to do. I could name names, but I don't want to name names, because when one makes a comment, the minister has the happy faculty of sending somebody from his staff galloping off to the nearest telephone to find out—

Mr. J. R. Smith: Good idea!

Mr. Ferrier: Carrying on an inquisition, is he? He is the grand inquisitor.

Mr. Martel: I would like to straighten that point out, Mr. Speaker. You will recall that during the ministry's estimates I made the point that my daugher was in a class of 40, and I feel she suffers from that in one way; however, using my position, I could have got the class size reduced.

Mr. Haggerty: I thought the member tried to do that?

Mr. Martel: No, I could have. They would have reduced the classroom if I had asked. They would have taken some out of grade 5 and put them in grade 4, some out of grade 4 and into grade 3 and so on down the line until there were double grades all the way through.

I had a choice. I could ask them to do it because I was so concerned about my daughter; I could have used my position to do that. Or I could have looked at what was going on in the rest of the classrooms; and I have always opposed two different grade levels in the same classroom, because it then destroys the teacher's ability to cope with at least three or four groups in that one grade.

Mr. Carruthers: That is the best thing that ever happened—

Mr. Martel: The member wouldn't understand units.

Mr. Carruthers: I understand them.

Mr. Martel: He doesn't understand units; he is so far back in the Dark Ages he never heard of units when he was teacher.

Hon. Mr. Wells: If the member for Sudbury East ever becomes as good a teacher as the member for Durham, he'll be lucky.

Mr. Martel: I have forgotten more than he will ever know about teaching.

Interjections by hon. members.

Hon. Mr. Wells: If we get the record of the member for Sudbury East and compare it with the record of the member for Durham I think the member for Durham could come out on top.

Mr. Martel: Get my record! Why send for my record?

Mr. Drea: "When the roll is called up yonder, I'll be there."

Mr. Ferrier: He's the grand inquisitor over there.

Mr. Martel: You know, "Big Tom," he sends someone out from underneath the gallery to find out—

Mr. Speaker: Order please.

Mr. Martel: Well, I am speaking on this bill.

Mr. Speaker: Order please. The member will please refer to the members by their proper titles.

Mr. Martel: Pardon me, Mr. Speaker.

Mr. Speaker: Also, may I suggest to the hon. member who is speaking that he get back to the principle of this bill?

Mr. Martel: I am talking on the principle of this bill, Mr. Speaker.

Well, I want to say that—

Mr. Drea: The member should restrain himself.

Mr. Martel: I am talking about teachers' rights, parents' rights—the member for Ontario mentioned that—and I was talking about my right as a parent when I made the point that my daughter was in classroom of 40. The Minister of Education immediately had it checked out, and then he came back and said: "Ah, you could have had it changed." Certainly I could have, but I don't feel that I, as an individual and because I happen to

be a member of this little club—now a Tory might accept that, but I don't.

An hon. member: That's how the Tories operate.

Mr. Martel: I don't feel that I should use my position to get my daughter's classroom fixed up.

Interjections by hon. members.

Mr. Martel: That's a lot of nonsense.

An hon. member: It's right on.

Mr. Martel: Plus the real educational problem behind it. We've had double grades all the way down, which I've always opposed.

Interjections by hon. members.

Mr. Germa: Their own personal gain.

Mr. Martel: Which I've always opposed, because with two grades that means if you had a good teacher she'd be trying to work with at least six groups at the minimum. Impossible!

Mr. Lewis: But not on the classroom sizes, surely.

Interjections by hon. members.

Hon. Mr. Wells: They all don't agree with the member for Sudbury East.

Mr. Martel: Tell me, what does the minister know about teaching?

Interjections by hon. members.

Mr. Martel: And I'm saying that no teacher can work with more than six groups. In fact, they can't work with six groups successfully.

Interjections by hon. members.

Mr. Martel: The minister is not telling me that a teacher can work with more than six groups.

Hon. Mr. Wells: Mr. Speaker, the implication was given that there was no place in teaching for split grades. And I'm just saying that some teachers do not agree with the member and there are indeed a lot of split grades in a lot of schools in this province.

Mr. Lewis: Oh yes.

Mr. Martel: I want to clarify that. If one could hand-pick and test adequately, then in fact you could get the same educational levels in those grades.

Hon. Mr. Wells: All right.

Mr. Martel: That's right. I don't dispute that. What I'm saying is that is so difficult to do—and there aren't enough people out in the field to do the proper testing—that it's almost impossible. So that rather than have a split grade, I've always tried to have a single grade—and then I could break up, or my teachers could break up the group, into groups of four or five students. If you have a double grade, then that makes it all the more difficult to do because you have that many more groups. Unless I had the proper back-up to do that in the profession then it's very risky when you have double grades.

I hope the minister has that straight as to why I didn't want to do it. I didn't want to use my position as a member simply to have my daughter's classroom reduced from 40; because we would have doubled up from four to one.

That wasn't bad enough; but then the ministry, I understand, wrote the board about the matter.

Mr. Speaker: Order please. Order. Could we concentrate more on the principle of this bill?

Mr. Martel: I've never been able to understand that. Well, I just wanted to get that point straight, Mr. Speaker.

Mr. J. R. Smith: We are on estimates here?

Mr. Martel: Right. I couldn't get back. Now we talk about the costs of education.

Hon. Mr. Davis: The minister has forgotten more than the member for Sudbury East ever knew.

Mr. Martel: What?

Hon. Mr. Davis: I said that he has forgotten more than the member ever knew.

Mr. Martel: Yes, right. I find it regrettable, but it's the case.

Hon. Mr. Davis: I think the member for Sudbury East has forgotten all he ever knew, which was limited in the first place.

Mr. Martel: Then, as I said to the Minister of Education, I would suggest the Premier get on the hummer and find out what my rating was as a teacher and as an administrator.

Hon. Mr. Winkler: It is a good thing that he put it in the past tense.

Mr. Martel: I haven't taught for six years, so one can't—

Interjections by hon. members.

An hon. member: Does he want us to give him a medal?

Mr. Speaker: Order, please. Bill 274, please.

Mr. Rhodes: Don't think the parents in Sudbury are not pleased.

Mr. Martel: That is a matter of opinion too.

Mr. Rhodes: They want the member down here and not in the school system.

Mr. Martel: Fifty-five per cent of the people in Sudbury East can't be wrong.

Interjections by hon. members.

An hon. member: Yes, it's a tougher league in Sudbury, let me tell you. If the member for Algoma can represent Sault Ste. Marie, then that's a tougher league in Sudbury.

Mr. Martel: It's interesting that—

Mr. Bullbrook: This is where the child psychology course really works.

Mr. Martel: They'd need it. That's one of the failings. The child psychology course was so bad we can't deal with these children. We don't know how to cope.

Mr. Speaker, I want to talk about the costs of education because Ontario, you know—if we're in a bind today it isn't the bind of the last three years.

Mr. Speaker: Order please; only in relation to this bill.

Mr. Martel: In respect to this bill—the budget, the restraints imposed by the government.

Mr. Lawlor: Mr. Speaker, stop harassing the member.

Mr. Martel: There is the restraint of a six per cent guideline. We've reached this problem, this crisis in finances, not because of the last two or three years. I suspect it goes back 10 years; but I suspect it goes back even further than that because of the failure of this government, for a good number of years, to move out of the red schoolhouse era.

Mr. Drea: The member said that 14 minutes ago, word for word.

Mr. Ferrier: No.

Mr. Martel: The member can tell time, can he?

Mr. Foulds: How can he tell? His memory span is not that long.

Mr. Martel: I can recall starting to teach in 1960 when the supplies were so limited that the total budget in the school I was in for the first year was $1,300. We had absolutely nothing: A couple of pieces of construction paper, one old Ditto machine and that was it. That was 1960.

Mr. Drea: That is when the member was in his prime.

Mr. Martel: By the time I left the school I can assure you the $1,300 budget was for each room as we brought in the supplies necessary to teach kids. It wasn't there before. As I say, it was only in the 1960s when we started to move out of the red schoolhouse era and started to realize the necessity to spend money in order to educate the kids. We found we were ranking about fifth in the standard of education in Canada at that time.

Interjection by an hon. member.

Mr. Martel: Yes, behind Saskatchewan, behind Alberta—

Interjections by hon. members.

Mr. Martel: Oh, yes.

Hon. Mr. Davis: Never. Are we today?

Mr. Martel: I didn't say we are today. I'm saying then, in the early 1960s.

Mr. Martel: We weren't number one then and the Premier is well aware of it. We were very far down. Alberta and Saskatchewan were trying all kinds of new ideas in education, but Ontario was trying at least to break out of the red schoolhouse era, and the costs started to escalate like mad. If we had moved out sooner and started building schools and not got into the problem of building when it was really costly we might not be in such a financial bind as we are today.

Today what we do, of course, is we blame the teachers. We blame the school boards. In fact, the culprit in the whole issue has been the government of Ontario and it has manipulated it beautifully. I have to give it credit.

Throughout this whole mess in the last year, with the guidelines and everything,

the battle has been between the boards and the teachers. Why should that be so? The guidelines and the restraints have come from Queen's Park and the government has sat in the wings – not too much criticism was falling on the government of Ontario – the boards and the teachers out there in the public eye are the people who are taking the blame for the fiasco.

The Tory government which pulled all the strings, with its six per cent and its guidelines–

Mr. Foulds: Three per cent.

Mr. Martel: Three per cent? It is the one which got off scot-free. I said to one of the boards recently: "What in God's name is wrong with you people? Rather than fight with the teachers, why don't the teachers and the boards get together and put the blame where it really lies–in Queen's Park?"

One only has to look at some of the largesse and the waste of money – some schools with teak furnishings and stupidity like that; that has to go. I'm the first to agree. Who allowed those types of schools to be built; the edifices to architects which are being designed and built today? Some of them are just out of this world.

Mr. Foulds: Horrendous.

Mr. Martel: What are we doing?

Mr. J. R. Breithaupt (Kitchener): And the names on all those schools!

Mr. Martel: The people who are getting the blame are the very people who have the least input–the teachers. They are the ones who are getting zapped, but they've had no input. In later days they've had a little more, but very little. The boards and the Ministry of Education, where all of the strings are being pulled, have been getting away scot-free in the whole issue. I would have hoped that long ago the boards and the teachers, rather than fight each other, would have seen that the culprit sits on that side of the House.

Mr. Bullbrook: Can the member finish in two minutes?

Mr. Martel: I'm going to go on; I'm just starting.

Mr. Foulds: This is the warm-up.

Mr. Martel: It's interesting – the government plays with this in almost the same way it plays with the welfare recipients or family benefit recipients. It finds a scapegoat – in this instance it's the teachers – and says: "There it is. Get him." The same thing applies in welfare and FBA. There is such a myth created about welfare recipients, that one cent extra spent on them causes an uproar. The government is aware of it and it is aware of it now with education. It has done enough sounding out that it knows the public resents any more educational tax. The government is using it for all it is worth, led by none other than the Premier, in perpetuating these myths because if it wanted to destroy them, the person who could would be the Premier as he was Minister of Education all that time.

Mr. Speaker: If the hon. member is not finished, will he move the adjournment of the debate?

Mr. Martel moves the adjournment of the debate.

Motion agreed to.

It being 12:32 o'clock, p.m. the House took recess.

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Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Thursday, December 13, 1973

Afternoon Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 13, 1973

The House resumed at 2 o'clock, p.m.

Mr. Speaker: Statements by the ministry.

Oral questions.

The hon. Leader of the Opposition.

RESTORATION OF OLD FORT WILLIAM

Mr. R. F. Nixon (Leader of the Opposition): I have a question of the Minister of Industry and Tourism. Has his department or has any group within his responsibility carried out any investigations into the procedures for the restoration of Old Fort William which has now been going on for many months? Has there been any occasion for any branch of the ministry to examine the procedures used by the company for this purpose by way of its financing, its administration or its general terms of reference?

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, the restoration of Old Fort William falls under the Minister of Natural Resources (Mr. Bernier) and not the Minister of Industry and Tourism.

Mr. R. F. Nixon: A supplementary: In the absence of the minister's colleague, I thought since it would have tourism aspects, the minister would be aware of the ongoing responsibility to restore Old Fort William.

Since the Premier has come in I would direct the question to him with the Speaker's permission. A question of the Premier: In the Premier's knowledge of the work going on in the ministry, which must be pretty encyclopaedic, has there been any investigation or research into the procedures carried out by the corporation which has the contract and responsibility to restore Old Fort William, a procedure which has been going on now for more than a year?

Hon. W. G. Davis (Premier): No, I don't know of any, Mr. Speaker. I would be delighted to discuss it with the minister but I don't know of any.

Mr. J. E. Stokes (Thunder Bay): A supplementary: In light of the Premier's remarks concerning Old Fort William and the tremendous impact it might have on the future economy of northwestern Ontario, as enunciated by the Premier on "Provincial Affairs" last Saturday night, is he not in a position to say what stage it is at, how many more dollars will be required to bring it into completion, and what economic benefits might accrue as a result of its completion?

Hon. Mr. Davis: Mr. Speaker, I can't answer the first part of the question; I am not familiar with what sums are necessary to complete Old Fort William. I was there a few weeks ago, and I would say they are making very excellent progress. Being somewhat interested in the way these things are developed, I would say to the hon. member, Mr. Speaker, I think they are doing an excellent job in recreating the atmosphere of Old Fort William.

As to its future and economic impact, I would have to say I think it will be of significance in that area of the province. I think it is an historic site that is going to be well done and, as a result, will be a very significant tourist attraction. And when I say tourist attraction, I mean it in the very broad sense of the word, because I think it will have educational value as well.

Without any question, I think it will have economic and educational significance for that part of the Province of Ontario.

I have to say, Mr. Speaker, from my brief visit there when the Queen was here, and again just a few weeks ago, I think they are doing a very excellent job in terms of authenticity of reconstruction. I think it compares very favourably, for instance, with Ste. Marie-among-the-Hurons—

Mr. Stokes: Well, is the Premier satisfied that the money is well spent?

Hon. Mr. Davis: Yes, I believe it is a very valid investment to be making.

Mr. Speaker: The hon. Leader of the Opposition.

PRICES OF FOODSTUFFS

Mr. R. F. Nixon: Thank you, Mr. Speaker. I have a question of the Minister of Agriculture and Food.

With the increase in the cost of living reported a few days ago by Statistics Canada, is he aware of the specific increase in what has been called the Ontario food basket, which I believe is a programme established by the minister's colleague, who is absent from the House today, as an indication specifically of the increase in food prices in this province under the conditions for collecting the information, which is the responsibility of the government?

Hon. W. A. Stewart (Minister of Agriculture and Food): No, Mr. Speaker, I don't have those figures in my hand, but they can certainly be obtained through the Ontario Food Council. They have the service provided to them, and it may be that my friend and colleague, the Minister of Consumer and Commercial Relations (Mr. Clement) has it as well. But I don't have specific figures. For the life of me, I don't know what the increase would be, because to me most of the food prices apparently have eased off over this last month.

Mr. R. F. Nixon: Well, a supplementary: Would the minister not agree that there was considerable surprise when Statistics Canada indicated that the increase in the cost of living during the last measurement period—

Hon. Mr. Stewart: Which month was that?

Mr. R. F. Nixon: It was announced about three days ago, and it showed the largest increase in the cost of food as something over two per cent. And I would like to know if that is reflected in the cost of food, as measured by the Food Council. If the minister could get that information it would be helpful.

Mr. Stokes: A supplementary: Does it concern the Minister of Agriculture and Food that the people of Kasabonika, in Ontario, are paying 45 cents for a can of Carnation Milk, $2 for a pound of coffee, $1.85 for a pound of tea and $1.25 for a pound of hamburger? This is what they are paying in the Province of Ontario today. Does it concern the minister, and can he do anything about it?

Hon. Mr. Stewart: I know of no price ceilings on any food commodities anywhere in Canada, Mr. Speaker, including those provinces with governments represented by my friends in the NDP.

Mr. Stokes: Is the minister not prepared to make an investigation to see why people pay as much as 45 cents for a tin of Carnation Milk and $2 for a pound of coffee? Doesn't the minister think that is gouging?

Hon. Mr. Stewart: It all depends on the costs that are going into the provision of the service, Mr. Speaker. I am not prepared to launch a food investigation at this time in any area.

Mr. E. Sargent (Grey-Bruce): He's a great Minister of Food, he is.

Hon. Mr. Stewart: But I will undertake to get the figures that my hon. friend, the Leader of the Opposition, requested.

Hon. J. W. Snow (Minister of Government Services): The member for Thunder Bay doesn't look very hungry.

FIRE AT HOSPITAL AT ATTAWAPISKAT

Mr. R. F. Nixon: Mr. Speaker, a question of the Minister of Health:

Can he report to the House on the circumstances following the fire at Attawapiskat which destroyed the nurses' residence and, I understand, a great many of their supplies? Is he aware of the problem that evidently they are using very temporary and inadequate facilities at the present time and that supplies are needed? Is it part of his job to see that they are supplied; and why couldn't we use the Ontario "air force" for this purpose?

Hon. R. T. Potter (Minister of Health): Mr. Speaker, I can't give the House any report on this at the present time. It is being investigated—and as we come up with information we will certainly deal with it.

Mr. R. F. Nixon: Supplementary: The minister, however, is aware of the situation—and is it a responsibility of the province, or is it shared with the federal ministry of health?

Hon. Mr. Potter: Well, Mr. Speaker, the problem is really not my problem—it is the federal ministry of health's. But we've been dealing with the federal ministry all along. I have been in contact with them as recently as a week ago, and hopefully we will get it resolved. One of the great difficulties, of course, is that Ottawa still refuses to accept the total responsibility for the Indians. They insist that we have a responsibility from our health insurance programme; and at the present time we just haven't been able to resolve it.

Mr. R. F. Nixon: The federal government's responsibility is paying half the cost of that programme. Supplementary: Would the minister not agree that under these circumstances the continuation of the Ottawa feud doesn't fit in with the needs of the community of Attawapiskat? Why can't he talk to the minister or whoever is in charge, probably the Premier, and utilize the 48 aircraft or whatever numbers are needed? I suppose one could provide the supplies needed. Then, at least, we can fulfil that responsibility without waiting on the political aspects of settling the continuing responsibility problem.

Hon. Mr. Potter: Mr. Speaker, I wouldn't agree that it is our responsibility. I've been trying to work out the details with Ottawa. I'd be much happier if Ottawa would let us assume the responsibility for the Indians in the province and give us the funds to do it that they are now supposed to be using, themselves. But so far we haven't been able to work out any details.

TOWN OF DURHAM'S NAME

Mr. R. F. Nixon: Question of the Chairman of Management Board: The matter was raised before, but I wonder if the minister could tell the House if there is any way that the people in the town of Durham can have some safeguards as to the use of their community's name; or at least a reduction in the confusion as far as mail and references even from government ministries are concerned? The hon. minister has that look on his face which indicates that he doesn't think the matter is of any urgency, but some of the constituents in his riding are quite concerned about it and so am I.

Mr. Sargent: He is not going to run again.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I am well aware of the concern, and I am sure that the hon. member knows that we are meeting with a group of them in the next few hours. But I want to say one thing very clearly: There is not and never was any intention of removing from the town of Durham its name. If there is any confusion—and I know the one incident to which the hon. member refers—I will send that back to the Treasurer (Mr. White), whence the letter came. That is the only one that has been brought to my attention.

Mr. R. F. Nixon: Maybe the minister will have to take—

Hon. Mr. Winkler: But the security of the people in the name that they have will remain as it has been by an Act of this Legislature since 1872.

Mr. R. F. Nixon: Supplementary: What was the name of the new regional government? What about the name of the new regional government, which has only been imposed by Act of this Legislature for—

Hon. Mr. Winkler: By way of explanation—and I'm sure the hon. member is very well aware of this—that in the regional municipality of Durham they retain a position as they had when they were the county of Durham. There is no post office by the name of Durham, there is no railway station by the name of Durham, there is no telephone exchange by the name of Durham, indeed, there is no specific Durham address—and that is the way it will be.

Mr. V. M. Singer (Downsview): In fact, it probably doesn't even exist.

Hon. Mr. Winkler: I will guard the interests of the town of Durham in that regard vis-à-vis the regional municipality.

Mr. R. F. Nixon: I just thought the minister's constituents would like it brought to their attention.

Mr. Speaker: The hon. member for Scarborough West.

Hon. Mr. Winkler: It wasn't the member for Grey-Bruce, I know that.

USE OF LEGISLATURE MEDIA STUDIO

Mr. S. Lewis (Scarborough West): Can I ask the Chairman of Management Board just to outline again, in the light of a tape that was made by the Minister of Education (Mr. Wells) in the media studio here at Queen's Park yesterday, and I guess last night; can I have the minister indicate again how that media studio is to be used by members of the Legislature; in what fashion it is to be used?

Hon. Mr. Winkler: I cannot answer it in regard to the specific question the member asks, but I will investigate. I didn't even know that it happened; but I shall do that and get back to the Leader of the NDP.

Mr. Lewis: Let me, Mr. Speaker, by way of supplementary put to the minister that the Minister of Education—I can well understand his wanting to do it—made a tape, initially explanatory in nature, of the

controversial legislation before us through the media service available here in the building. Then, midway through the tape or two-thirds of the way through the tape, he engaged in what is clearly a matter of political argument about opposition views and the counter government view—changing the tone from one of obvious political explanation to one of clear propaganda purposes.

That is fair enough, except I assume, therefore, that members of the opposition, leaders of opposition parties, and opposition critics can also use that media service for what is basically a political debate around an issue and send it out in bulk to radio stations all around the province. Is that a normal and legitimate use for the studio?

Hon. Mr. Winkler: I can't give the member a very clear answer on this until I have an opportunity to hear the tape, but I know that the government's desire to communicate with the people might sometimes take one's enthusiasm a little further than it should. I'll listen to the tape and report back on it.

Mr. R. F. Nixon: Supplementary: When this matter was raised a couple of weeks ago as to the government's intention in the use of that particular facility, the Premier gave every indication that it was not to be used for partisan political purposes, but to inform the citizens of government policies.

Mr. Lewis: Is that not so? By way of supplementary, it does seem to me one can perhaps make a distinction between a central explanation of a piece of policy and a set question which reads, "Mr. Wells, the opposition has accused you of bad timing in introducing the legislation at this time when the schools are in fact still open," and the minister answering, "That isn't a legitimate point. We feel that children should not be used as pawns in the collective bargaining process," and so on. I understand the arguments that are made and that they are of a rather different order. All I want to know is, has that arena now been opened to all members of the Legislature to use the media service in that way? That is what I am asking—a simple question.

Hon. Mr. Winkler: I haven't seen the transcript, as I have said, but I will certainly get it today and I will review it and check back.

Mr. Lewis: Okay.

Is the Minister of Community and Social Services (Mr. Brunelle) in the precincts of the House? He was a moment ago. Maybe he'll step back in.

GO-URBAN SYSTEM

Mr. Lewis: Can I ask the Minister of Transportation and Communications what he now feels since the TTC, I must admit to my surprise, unanimously in effect said the GO-Urban study, by which the government wished to find a corridor through the northeast part of Metropolitan Toronto, was now unacceptable to them; and they would not accept any study unless it included alternative dual-rail forms of transport as well? What does this now do to the plans of government?

Hon. G. R. Carton (Minister of Transportation and Communications): Mr. Speaker, I do not find these inconsistent. There was a motion, of which I have the exact wording. There were two motions, as a matter of fact, both of them by Mr. Gordon Hurlburt, vice-chairman of the TTC. These motions were passed and read as follows: Motion 1:

> The TTC supports the principle of new technological development, including the maglev speed tires, the new bus and subway design, electrified commuter rail and new methods of power as necessary for the commuter system in the Toronto-centred region plan.

That was motion 1 and that was passed. Motion 2 read:

> The TTC supports the alignment study for a transportation corridor in the northeast section of Metro for use of a mode of transport technology yet to be decided upon.

In other words, I see nothing inconsistent in what they are saying. If the terms of reference need any modification, it would be my personal thought that they should be modified. What we have been saying is that it is going to take all kinds of modes for Metropolitan Toronto. What Mr. Hurlburt was pointing out is that four years from now there may be the requirement for a much greater passenger-carrying capacity than the 20,000 per hour as indicated by the new mode. I think that makes good sense. I look upon this northeast corridor simply as a study for a mode of transportation. It could embrace, and frankly I think should embrace, the corridor concept and whatever mode goes in there.

I would have no objection to the terms of reference being enlarged to make certain that could take place.

Mr. Lewis: That's fine. By way of supplementary, I take it from the original terms of reference for the $829,000 management consultant study, confining it to the kind of cor-

ridor that would suit GO-Urban, the minister is quite ready to expand to allow for the possibility of other forms of transit?

Hon. Mr. Carton: I think it was the enthusiasm with which everyone embraced the new system which made them go off on that tangent.

Mr. Lewis: I see, and they have now come back to earth. It's interesting how many are shifting away from the original enthusiasm.

REORGANIZATION OF COMMUNITY AND SOCIAL SERVICES MINISTRY

Mr. Lewis: May I ask the Minister of Community and Social Services: Rumours are rife that he is engaged in a major reorganization of his ministry; can he tell us something about it now that it seems people are actually being re-slotted in different places?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, that is quite true. I think during the debates on the estimates I mentioned that we would be announcing a reorganization sometime during the current year. This week we are in the process of informing our own staff and I should be making an announcement in the very near future.

Mr. Lewis: I see. By way of supplementary, can the minister tell me whether the director of child welfare in Ontario is occupying a different post under the reorganization, and does he know what that post is, if it is different?

Hon. Mr. Brunelle: Again, Mr. Speaker, these changes will be announced within the next few days.

Mr. Lewis: Within the next few days?

Mr. E. W. Martel (Sudbury East): A supplementary, Mr. Speaker: Could the minister indicate what is going to happen to the regional administrators who apparently have been advised they must now bid on jobs? There are going to be seven fewer jobs, as I understand it, available to present staff. What will happen to those administrators?

Hon. Mr. Brunelle: The positions of district directors will be open for competition.

Mr. J. F. Foulds (Port Arthur): A supplementary, Mr. Speaker: Isn't it true the minister has announced to his staff five appointments in southern Ontario? Isn't it true that the former head of the child welfare branch is assigned as an assistant in the Peel region of southwestern Ontario?

Hon. Mr. Brunelle: Again, Mr. Speaker, I'd like to repeat what I said earlier—that these announcements will be made within the next few days.

Mr. Foulds: A supplementary: Doesn't the minister find it strange that a constituent of mine can phone me with information he received to this effect and the minister doesn't see fit to announce it to the House?

Hon. Mr. Brunelle: I'm sorry—

Mr. Lewis: How come it penetrates the reaches of northwestern Ontario before it gets to the House?

Hon. Mr. Brunelle: Mr. Speaker, during the early part of this week we had a meeting of all our administrators, who were brought to head office here in Toronto, and they were informed. During the rest of the week additional information is going out to the various districts. I'd like to repeat that within the next day or two the announcement will be made of the complete reorganization.

Mr. M. Shulman (High Park): A supplementary, Mr. Speaker.

Mr. Speaker: I think there have been four supplementaries. In view of the answer provided, I think further supplementaries would be superfluous.

The hon. member for Scarborough West.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. Lewis: I want to put it to the Premier again—maybe I'm inviting too easy a response—since the various affiliated teachers' groups, having, I'm sure, taken into consideration what the Premier said yesterday, are now clearly determined to proceed with their decision about Tuesday next, and since I know the Premier has respect for those teachers, would he not consider it wise to provide an avenue for them to express their feelings about the present bill before us – feelings which were not expressed in advance of it—by way of a standing committee of the Legislature? Would that not help to eliminate some of the bitter feeling that is now aroused within the teaching profession?

Hon. Mr. Davis: Mr. Speaker, I can't comment as to whether that procedure would alter the feelings expressed by the OTF and the affiliates. I do appreciate the recognition

by the hon. member for Scarborough West that the Premier of this province does have, and has had for some years, great respect for the capacity of the teachers in this province. At the same time, Mr. Speaker, we feel we have a responsibility, one that is not easy, and we are in the process of discharging this responsibility.

Mr. M. Cassidy (Ottawa Centre): It sure is not easy the way the Premier has done it.

Hon. Mr. Davis: As to whether or not appearances before the standing committee would mitigate the feeling of some of the teachers is really a very difficult assessment to make, Mr. Speaker. I think we are all aware of the official feelings of the OTF and of the affiliates. I am sure this has been communicated to all members of the House, and certainly I am not unaware of it personally.

Mr. I. Deans (Wentworth): A supplementary question: Is the Premier aware of the announced support by the physicians of the Province of Ontario for the position that the teachers have taken and of the request by the Ontario Medical Association that the government reconsider the legislation which it has brought in?

Mr. Cassidy: Their friends are really deserting them.

Mr. Deans: It doesn't worry the Premier a bit?

Hon. Mr. Davis: Mr. Speaker, I am aware of a press report about a resolution of the Ontario Medical Association—and I am not sure how it was worded—regarding the right, presumably, of a teacher to strike or resign, but I think the members opposite, particularly those in the New Democratic Party, have made it abundantly clear that when they talk about resignations they are really talking about a form of strike—

Mr. Deans: Sure. We don't deny that.

Interjections by hon. members.

Hon. Mr. Davis: Quite frankly, I have always stayed away from that terminology—

Mr. Deans: We happen to think it is legitimate.

Hon. Mr. Davis: As I say, I am not completely surprised that the Ontario Medical Association might have taken this point of view, and in the months that lie ahead it will be very interesting to see how supportive of the Ontario Medical Association are the members of that particular party opposite, Mr. Speaker. I find it a very interesting situation.

Mr. Deans: That has nothing to do with it.

Mr. Martel: We'll negotiate the way the teachers have to.

Mr. Deans: Well, one final supplementary? Just what would it take, what group is it that the Premier is waiting for to bring to his attention that this Act that the government has undertaken is wrong? What group is it that has got to speak to him before he'll understand the impropriety of what he has done?

Mr. Cassidy: The editorial board of the Globe and Mail.

Hon. Mr. Davis: Well, Mr. Speaker, I don't think it's a matter of impropriety. I think it is a question, once again, of judgement. It's a question of a situation which government is called upon to deal with. I don't think it is a question of any particular group or numbers of groups or how this is brought to our attention—

Mr. Foulds: Damn the torpedoes, full speed ahead.

Hon. Mr. Davis: I think it is a case of this government's feeling that the time has come to make some determination as it relates to outstanding disputes between 16 boards and the teachers who are employed by those boards. This is something we will probably debate again, at which time it will be very interesting to see the position of the official opposition—

Mr. Lewis: We are not asking about the official opposition. They can look after themselves.

Hon. Mr. Davis: We are proposing, by way of general principle, the same principle that is contained in this interim legislation; that is, that after very careful analysis and after discussions with the people who are most directly involved, while I am not prepared to argue that teachers are necessarily in the same category as policemen or firefighters—I am not going to try to draw this parallel—

Mr. Deans: What is the Premier asking then?

Hon. Mr. Davis: Well, if the hon. member will give me a chance, I'll tell him.

Mr. R. F. Nixon: They are not essential.

Hon. Mr. Davis: It is the government's proposal, contained in the draft bill that has been presented for first reading, that we feel that there has to be some solution, some finality to board-teacher negotiations other than through the mechanism of mass resignations, which in the terms of the New Democratic Party is a strike. If the member for Wentworth wants to interpret this—

Mr. Deans: They have offered alternatives.

Mr. T. P. Reid (Rainy River): Why didn't they do that a year ago?

Hon. Mr. Davis: —as meaning that the government of this province feels that teacher-board negotiations must reach finality with some other solution which we are suggesting be by way of compulsory arbitration, then, Mr. Speaker, he has at long last interpreted exactly what we are attempting to do. As far as the teaching profession is concerned, I would say that I don't put them in the same category as police and firefighters from the standpoint of health or protection—

Mr. Deans: The Premier is playing a game. He is trying to use the public against them.

Hon. Mr. Davis: —but I do say that a teacher is, in a sense, something of a public servant who has a public responsibility—

Mr. Lewis: Even if that is so—

Hon. Mr. Davis: As a result of that, we are saying that the traditional use of mass resignations is not appropriate—

Mr. Deans: It is not traditional in Ontario, and the Premier knows that for a fact.

Hon. Mr. Davis: —and we are seeking a better means to solve the problem, which we have done.

Mr. Lewis: They brought in general legislation to do that.

Mr. Speaker: The hon. member for Sarnia.

Mr. J. E. Bullbrook (Sarnia): As a supplementary with respect to the original question and the reference of Bill 274 to the standing committee, is the Premier aware that statistics were disclosed in this House that, under the direction of his predecessor, 72 per cent of all legislation in the 28th Parliament was referred to standing committees, while under the Premier's direction in this Parliament, 14 per cent has been directed to standing committees?

May I ask if this is indicative of his desire not to have any public involvement with respect to legislation generally. More particularly, why don't we get some public input with respect to Bill 274?

Hon. Mr. Davis: Mr. Speaker, I think it is fair to state that while the member for Sarnia may refer to the numbers of bills, which I think is statistically a very debatable point, it all depends on the kinds of the bills. I think one can go back and one should do any statistical analysis on the basis of the number of bills which actually had public representation there when they were discussed. I'm sure the member for Sarnia, perhaps over the Christmas vacation, can do some analysis for us on that.

I'm only guessing but he might find when it comes down to the actual numbers of bills in other parliaments in which the public actually did participate, related to the number of bills in which they have participated here in the past couple of years, there will be some similarity.

I think it is also fair to state, Mr. Speaker, that this government, not necessarily as it relates to legislation but as it relates to policy matters, has done more than many other jurisdictions. Quite frankly, and I say this advisedly because I think it is an appropriate direction to take, it has done more to involve the public in discussions of policy matters that we have undertaken.

Mr. Singer: Like the Planning Act?

Hon. Mr. Davis: We will be doing some more. I think it is fair to say, Mr. Speaker, even to the member for Downsview—as I read his remarks on the Planning Act I'm not sure yet whether he fully understood the somewhat controversial section.

Mr. Singer: If the Premier sticks around this afternoon I will explain it to him again.

Hon. Mr. Davis: I would say to the member for Sarnia when it comes to matters like the parkway and like the escarpment, we're providing very genuine mechanisms for public participation in the determination of the parkway belt corridors themselves. This, one cannot do before a standing committee.

Mr. Lewis: Why is the Premier doing it?

Hon. Mr. Davis: This, one can do by way of public hearings, which we intend to have.

Mr. Cassidy: Why doesn't the Premier talk about the legislative process in this bill?

Mr. R. F. Nixon: Send this bill to the standing committee.

Hon. Mr. Davis: I would say, Mr. Speaker, that if the member for Sarnia wishes to analyse this during the few weeks when the House may not be in session, I think he may find the statistical evidence will show there are as many bills today with public participation as there were before.

Mr. R. F. Nixon: What is the Premier talking about?

Mr. Lewis: Too much pressure on him.

Mr. R. F. Nixon: Is he prepared to say this bill will go before a standing committee?

Hon. Mr. Davis: No, I have not said that.

Mr. R. F. Nixon: Is he prepared to?

Hon. Mr. Davis: I'm not saying that.

Mr. Lewis: A supplementary, Mr. Speaker, if the minister will be seated and if he does not sit down I must ask it: As a man who has been involved for much of his adult life in the educational system, as the Premier has, does he not grieve for what is now happening? Does he not feel it is insupportable that he should receive on his desk today a letter from the Ontario Teachers' Federation representing 105,000 teachers which appeals to him to examine the situation dispassionately; which says the process he's carrying on is about to do irreparable harm to the school system because it will alienate even the most moderate teachers, which says the bill provoked outrage and dismay and will create far more disturbance than it cures? Can I not say to the Premier that surely the obvious way to handle it is to withdraw the bill and rely on the general legislation? A second and not as good a way is to allow the teachers to present their views to a standing committee. Why must he destroy what it has taken him so long to create?

Hon. Mr. Davis: Mr. Speaker, I do not accept the proposition that the school system of this province will, in any way, be damaged. I don't, for a moment, say there will not be some feelings—

Mr. Deans: He is living in another world.

Mr. Foulds: His advisers are not advising him well.

Hon. Mr. Davis: —of anger even or concern expressed by the profession as it relates to this bill. I would say, from the standpoint of my own personal relationship over the years with the teaching profession, that I do not enthuse over what we are doing.

Mr. Lewis: I'm not sure that's true. It doesn't make sense.

Hon. Mr. Davis: Mr. Speaker, this is one of the responsibilities of the head of any government.

Mr. Lewis: He doesn't have to be so self-destructive.

Hon. Mr. Davis: He divorces himself from and must look at these things objectively and make determinations which he feels are, in all respects, in the public interest.

While I am in receipt, just four or five minutes ago, of a letter from the Ontario Teachers' Federation, which does express its concern, I must confess I'm not surprised at the contents of the letter. I would only say to the member for Scarborough West, and I hope I don't have to repeat myself again, that while this legislation is not pleasant for us—

Mr. Deans: Oh, stop it.

Hon. Mr. Davis: —we feel that it is important and we intend to proceed with it.

Mr. Lewis: Okay, that's fine.

Hon. A. Grossman (Minister of Revenue): Of course, it isn't pleasant.

Mr. Speaker: I think there should be no further supplementaries.

Mr. Dean: We'll give the Premier a crying towel.

Mr. Deans: We'll give the Premier a crying towel, but that's the way we feel.

Mr. Speaker: There have been numerous supplementaries. We've permitted, actually, a very brief debate on this topic. There is a debate in the course of the proceedings of the House and I think there should be no further supplementaries at this time.

Mr. Shulman: We'll have to sacrifice the Minister of Education.

Mr. Speaker: The hon. member for Huron.

HALL LAMP CO.

Mr. J. Riddell (Huron): I have a question of the Minister of Industry and Tourism. Has he received a report from a member of his staff sent by his ministry to render assistance to the former employees of Hall Lamp to investigate the possibility of reactivating that operation?

Hon. Mr. Bennett: Mr. Speaker, as I indicated yesterday, we have been in touch with the receiver who has been appointed to look after the affairs of—

Mr. Speaker: Order, please. Perhaps a doctor would go to the Speaker's gallery; there seems to be someone injured there.

Hon. Mr. Bennett: As I mentioned yesterday, Mr. Speaker, we have been speaking with the receiver for the Hall firm, Centralia; and in addition to that, we have been asking him for his latest report and we have some information from him—very limited at the moment.

Secondly, through Ontario Development Corp. we have indicated very clearly that the meeting which was held with the local member here a week ago, and at discussions we have had since, that we are prepared to give them all the assistance that is necessary to try to help them establish the continuation of Hall, if at all possible. But that's only possible, Mr. Speaker, provided we know exactly what the financial position is of the Hall firm, which is now declared bankrupt.

Mr. Riddell: Supplementary, Mr. Speaker: Is the minister aware that he does have a member of his staff down working with the former employees to take a look at the financial standing and to help them submit a bid so that they can get this operation going immediately before the other car manufacturers find other suppliers?

Hon. Mr. Bennett: Mr. Speaker, that is exactly what I said; that our people were reviewing it. We would hope to submit a bid if it is at all possible and practical and within reason as financial obligations go. But we must review the book situation and we must be in constant touch with those former employees who wish to see the firm maintained, maybe under their management. But until we know all the facts and figures there can be no firm submission made to the receiver. He in return will have to give us some of the facts and figures if we are to submit a realistic submission to him.

ARNPRIOR DAM

Mr. Cassidy: A question of the Minister of Energy, Mr. Speaker:

I want to draw his attention to the fact that Ontario Hydro is calling tenders due Jan. 4 for approximately $30 million worth of work on the proposed dam at Arnprior; and also draw his attention to the written answer of Dec. 6, to the question by the member for Downsview concerning the first contract with C. A. Pitts for $5.5 million.

In reply to that question the ministry refused to table the contract—

An hon. member: Question?

Mr. Cassidy: —because it contained the unit prices for the work and said that since the—

Mr. Speaker: Perhaps the hon. member would get to his question, if he will?

Mr. Cassidy: All right. I am sorry for this problem, Mr. Speaker; it is the only way to explain it for him. Can the minister explain the government's refusal to make the first contract public; and can he explain the explanation by his ministry that it is not considered prudent to make the unit prices in that first contract public since it might prejudice the tendering, when one contractor—C. A. Pitts, who is already on the site—obviously knows the unit prices and therefore is being given what must appear as an unfair advantage in this subsequent $30 million worth of tendering?

Hon. W. D. McKeough (Minister of Energy): No, Mr. Speaker. The unit prices in the second contract aren't necessarily the same as the unit prices in the first contract.

Mr. Cassidy: Mr. Speaker, does the minister not agree, though, that a company that knew the unit prices in the first contract has a tremendous advantage in putting in for the second $30 million worth of work?

Hon. Mr. McKeough: No, Mr. Speaker.

Mr. Cassidy: Would the minister explain why, after last summer's inquiry, Ontario Hydro persists with the Moog-style of tendering, which has been in favour at Ontario Hydro?

Hon. Mr. McKeough: The answer to the question, Mr. Speaker, is that Ontario Hydro felt that they had—and I would have agreed with this—a very successful team in terms of hydraulic construction in terms of both Acres and Pitts who have done an excellent job at Lower Notch. They were most anxious to get on with the job, get ahead with it, and therefore they negotiated a contract rather than call tenders on the first phase, some $5 million or whatever the total price may turn out to be.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. Cassidy: A final supplementary, Mr. Speaker: Can the minister explain why, having favoured Pitts once, Ontario Hydro continues to favour Pitts by making it the only contractor privy on the subsequent contracting to the detailed information gained on the first contract?

Hon. Mr. McKeough: That is simply not correct.

Mr. Cassidy: The fact is that it is, Mr. Speaker.

Mr. Speaker: The hon. member for Grey-Bruce.

AVAILABILITY OF COARSE GRAINS

Mr. Sargent: There was a CBC newscast this morning that the crisis in delivery of feed grain is now within 10 days. What is the Minister of Agriculture doing about it?

Hon. Mr. Stewart: I have the assurance, Mr. Speaker, of the minister's office in Ottawa that the situation is not as bad as one would gain from the tone of the question asked. In fact, the elevator storage at Goderich is almost full and the Prescott elevator storage is very close to being full; that was as of a few days ago. I have those detailed figures back at the office but I don't have them right at my disposal. I could get them.

Mr. Sargent: Is the minister not concerned?

Hon. Mr. Stewart: I didn't hear the broadcast to which my friend refers, but to my knowledge there doesn't appear to be any real crisis at all. There are the largest holdings of feed corn that has ever been held by the farm people of Ontario still in the farmers' hands. It has not been sold. I would assume, likely after New Year's, some of that feed corn will start to move to market. If that happens, then there should be a more ready supply of feed grain. We have not heard any talk at all of the farmers being unable to obtain feed grain supplies as yet.

Mr. Reid: Supplementary: Is it not a fact that usually there is a 30-day storage supply and it's now down to a 10-day supply? Does the minister not think that is getting a little critical?

Hon. Mr. Stewart: Mr. Speaker, may I ask the hon. member for Rainy River where he got those figures, because I have no knowledge of them and his own party's ministry at Ottawa provided me with exactly the opposite figures.

Mr. Reid: On the news broadcast this morning.

Mr. E. R. Good (Waterloo North): Doesn't the minister ever listen to the farm broadcast?

Mr. Reid: It was on the CBC this morning.

Mr. Bullbrook: The government of Canada issues these—

Mr. Reid: Five minutes ago the minister didn't even know—

Mr. Bullbrook: The government of Canada —didn't the minister know?

Mr. Sargent: Supplementary: I'll make it simple for you, Bill.

Mr. Speaker: Order.

Mr. Sargent: Is the minister not concerned, then?

Mr. Speaker: Order, please.

Mr. Sargent: Okay.

Mr. Speaker: There are many persons who have "Bill" as a first name. There are many "Ronnies." If the hon. member would refer to the ministers, at least, by their title or their riding, it would be much easier to determine the person to whom he is speaking.

Interjections by hon. members.

Mr. Speaker: The member for Sudbury East.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. Martel: I have a question of the Premier. Would the Premier consider adjourning the House today, and allowing the mediators to report back to the Ministry of Education as to what their findings are, in view of the fact that they are out in the field now, to see if these conflicts can be resolved and, if necessary, bring back the House next week, rather than go ahead with the bill as is now planned?

Hon. Mr. Davis: No, Mr. Speaker, I question whether this would serve any useful purpose. I think it's quite obvious to the members opposite the bill does provide if there is not a solution, then the solution contained in the bill is the one that will be proceeded with. If in the next few days these 16 outstanding disputes are resolved, then the matter becomes very simple. I question

what purpose would be served at this moment in adjourning the House for several days until we see whether or not the 16 disputes can be mediated.

Mr. Speaker: The hon. member for Huron-Bruce.

REPORTED OHIP ABUSES BY CHIROPRACTORS

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Health. In view of the reported abuses by the chiropractors in respect to OHIP, is the minister considering legislation to give the chiropractors their own Act, so that they can control and police their own profession?

Hon. Mr. Potter: Mr. Speaker, the member for High Park has already discussed this matter with me for some time now.

Mr. R. F. Ruston (Essex-Kent): Is he the minister's consultant?

Hon. Mr. Potter: I am concerned about the practice of some chiropractors in the province at the present time.

Mr. Ruston: Is he getting paid for it?

Hon. Mr. Potter: Quite frankly, unless we can control it better than it is now, I see no way they would be able to. I would suggest they should have their own Act and administer their own programme. Right now we are trying to determine just how much abuse there is in the programme. As a pointed out yesterday—and it was in this morning's paper—there are chiropractors, as there are physicians and everyone else concerned with the delivery of health services, who are abusing the programme. We are determined to find out who they are and to see that they are dealt with properly.

We have had drawn to our attention by OHIP officials some of the conditions for which some chiropractors have been treating people that we just can't accept. At the present time, we are trying to take for a whole month all of the charges that have been submitted with the diagnosis to determine just how often this is occurring.

Mr. Gaunt: Supplementary, Mr. Speaker: In the event the minister determines that the abuses are sufficient to warrant the introduction of a separate bill for the chiropractors, would that bill be introduced at the next session?

Hon. Mr. Potter: Mr. Speaker, the Health Disciplines Bill that will be introduced in the next session will cover all the health disciplines, which will include chiropractors.

Mr. Speaker: The hon. member for Windsor West. I might say there is one minute remaining.

HUMAN RIGHTS REPORT

Mr. E. J. Bounsall (Windsor West): A question of the Minister of Labour, Mr. Speaker: When does he expect to receive the report of the task force on human rights?

Hon. F. Guindon (Minister of Labour): Mr. Speaker, I haven't contacted the people on this commission. I really couldn't give the member an answer today. I will have to find out for him.

Mr. Speaker: The oral question period has expired.

Petitions.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a petition of the Ontario Secondary School Men Teachers' Federation:

To the Lieutenant Governor and legislative assembly:

Honourable sir and members of the Legislature:

We, the undersigned, do hereby present our humble petition to the assembly on behalf of the members of the Ontario Public School Men Teachers' Federation for the redress of a grievance by this honourable House.

To wit: the consideration of Bill 274 without adequate consultation with the affected parties.

We humbly request such action by the House as follows:

That the legislative assembly withdraw or refer Bill 274 to the social development committee or any of the other committees of the Legislature in order that we may have an opportunity to appear and be heard.

It is signed on behalf of the Ontario Public School Men Teachers' federation by Wilbur Smalley, president, and Robert Lamb, secretary-treasurer.

Interjections by hon. members.

Mr. Lewis: Mr. Speaker, I would like to put on the record a petition of the Federa-

tion of Women Teachers' Associations of Ontario:

To the Lieutenant Governor and legislative assembly:

Honourable sir and members of the Legislature:

We, the undersigned, do hereby present our humble petition to the assembly on behalf of the members of the Federation of Women Teachers' Associations of Ontario for the redress of a grievance of this honourable House.

To wit: the consideration of Bill 274 without adequate consultation with the affected parties.

We humbly request such action by the House as follows:

And the action gets more and more specific, Mr. Speaker, as the days pass.

That the legislative assembly request the Minister of Education to withdraw Bill 274.

It is signed for the Federation of Women Teachers' Association of Ontario by Mary R. Hesser, president, and Florence Henderson, executive secretary.

And I have a petition of the Ontario English Catholic Teachers' Association:

To the Lieutenant Governor and legislative assembly:

Honourable sir and members of the Legislature:

We, the undersigned, do hereby present our humble petition to the assembly on behalf of the members of the Ontario English Catholic Teachers' Association for the redress of a grievance by this honourable House.

To wit: the consideration of Bill 274 without adequate consultation with the affected parties.

We humbly request such action by the House as follows:

That the legislative assembly request the Minister of Education to withdraw Bill 274.

It is signed for the Ontario English Catholic Teachers' Association by Robert Cooney, president, and Frank Griffin, the executive director.

I do hope these petitions will have their cumulative effect, Mr. Speaker; the crescendo of opposition is rising.

Mr. Speaker: Presenting reports.

Motions.

Introduction of bills.

Orders of the day.

THIRD READING

Clerk of the House: Bill 264, An Act to amend the Planning Act.

Mr. Speaker: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): Mr. Speaker, we have tried through second reading, through committee of the whole House, and now we are going to try once again on third reading of Bill 264, to urge upon the government that this bill not be dealt with now. You may recall, sir, that during the question period, the Premier addressed some remarks toward me to the effect that perhaps I didn't understand what the bill contained.

Insofar as my limited ability will allow me, Mr. Speaker, I think I understand what the English words written in that bill seem to say. I have taken the opportunity since this bill was introduced into this House some eight or nine days ago to try to discuss the bill with many knowledgeable practising solicitors, most of whom—in fact every one I have talked to—have expressed very grave concern about the unusual, arbitrary, unfair and particularly unclear provisions that this bill contains.

I have discussed it with municipal officials, Mr. Speaker. And most municipal people, particularly elected persons to whom I have spoken, and many appointed ones as well, have also expressed grave concern about what the Act appears to say. If it says what it appears to say, then they have expressed great alarm as to what it is going to mean when it is enacted into law.

I have discussed it with people who are concerned with the development industry. I have discussed it with people who want to buy houses. I have discussed it with people who are in the rental business. I have discussed it, in the limited time I had available, with as many people as I could locate who might have some knowledge of the problems involved. Without exception, Mr. Speaker, all of those people to whom I have spoken have expressed grave concern about what the bill appears to say, and further grave concern about the fact that so many of its provisions really invite litigation.

It is most unfortunate that for some reason best known to the government it saw fit to bring in this bill within a few days of the

apparent hour of the rising of this House and refused to allow the bill to go before the standing committee so that there could be an adequate public discussion of its provisions. It is the same point that my colleagues have been making—my colleague from Sarnia (Mr. Bullbrook) particularly just a few moments ago—about the lack of desire, the lack of interest and the lack of concern of this government to allow the public to participate in important legislation.

This bill has no real urgency. It has no real urgency particularly if it is badly worded and particularly if it doesn't provide solutions for the problems which exist in the whole concept and field of planning.

This bill, Mr. Speaker, has two major provisions and a number of minor ones and I am not going to extend my remarks to any great length today. I am going to deal very briefly with the two major provisions.

The first one is the attempt to wrestle with the problem of checkerboarding. The government provides a solution, or what it calls a solution. I am very disappointed, Mr. Speaker, that neither the Treasurer (Mr. White), in whose name the bill stands, nor the Attorney General (Mr. Bales)—in fact there hasn't been a Justice representative here all day. It was the Attorney General—

An hon. member: There's one here now.

Mr. Singer: Oh, there is; the Solicitor General (Mr. Yaremko).

Mr. R. F. Nixon (Leader of the Opposition). He just took his seat.

Mr. Singer: I don't know, perhaps the Solicitor General, Mr. Speaker, is going to justify the provisions of section 7 of Bill 264.

Mr. J. E. Bullbrook (Sarnia): There is still nobody here representing Justice.

Mr. Singer: The Attorney General assumed the carriage of that section through the House and, listen as carefully as I could to his explanation, I still didn't understand them. The Attorney General's explanations for those sections, the checkerboarding sections, seem to rely on the drafting of certain instructions to municipal councils which are going to be evolved over the next considerable period of time.

The sections dealing with checkerboarding, Mr. Speaker, do not come into effect if and when this bill receives royal assent. They come into effect on a day yet unannounced, a day on which those sections will be proclaimed. In fact, Mr. Speaker, we are going to get legislation by ministerial fiat, by the Attorney General's memorandum; and the people who are going to be forced to face the responsibility of cleaning up checkerboarding are going to be the local municipal councils. I pointed out, Mr. Speaker, that I think the government is putting on the shoulders of the representatives of those rural councils a task that really is almost impossible to achieve.

For instance, there is no guideline set down as to whether or not any bylaw that is passed, addressed to the minister, shall concern one lot or all of the lots that are affected in the checkerboarding scheme. There is no sanction in the statute that provides any limitation on the conditions that can be imposed or recommended by the municipality to the minister. No one knows whether an individual applicant might be assessed several thousand dollars, whether he might be required to put in a paved road, to provide sewage facilities, to provide watermains and so on. Nobody knows that at all. There is nothing in the Act that deals with it.

Above all, Mr. Speaker, in that regard, the people who caused the checkerboarding apparently are exempt from any sanctions that might be imposed upon them. Granted, in many cases it may not be possible to locate them, but the government seems to say: "Well, that's too bad. They caused all this trouble, but we are not even going to attempt to go after them."

If there are going to be costs involved, in allowing these lots to be used, purifying their titles, allowing them to be built upon, who is going to pay for the services? The people who were misused, mistreated and perhaps fraudulently dealt with? Are they going to be the only ones? Are the local rural municipalities going to be saddled with those costs? And if they are, have they the financial capacity to be saddled with those costs?

Certainly, Mr. Speaker, one of the prime culprits in this whole problem has been the government of the Province of Ontario. But there is no provision at all in that bill, or in that section particularly, that the government of the Province of Ontario is going to participate in any shape, way or form or even to contribute five cents' worth of help to solve this problem.

I think that's wrong. The government has sat by, albeit not deliberately, but certainly it has sat by and let these schemes take form and shape. And the government has not

stopped them. Now the government sloughs off its responsibility and says to the local rural municipality: "It's your problem. You pass a bylaw."

I think that's unfair, I don't think it makes sense, but with great respect to the Premier (Mr. Davis), I think that's the way one has to read section 7 of the bill and the way one has to interpret the remarks of the Attorney General.

I think that's wrong, and I think the public should have a chance to come to a standing committee and listen to the Attorney General's explanation when he is before representatives of the public. And the committee should be able to decide whether or not those explanations are reasonable.

Mr. Speaker, the second major problem I want to refer to is the delegation of ministerial powers. Again, let me hearken back to the Premier's words to the effect that I don't understand the provisions of the bill. Well, I think I understand, at least as well as the Premier, what words appear to be written in the statute; and what puzzles me, Mr. Speaker, is the provision that will allow the minister to delegate any of his powers under the Planning Act to the local municipality—any of his powers.

I say that is too wide, and I made particular reference to section 32 of the Planning Act which allows the minister to make a decision changing any zoning bylaw without reference to the Ontario Municipal Board. Certainly, within the wording of the Act, the minister can do that. If somebody says I don't understand that, let him tell me where I am wrong; I would like to hear that.

Somebody else might say—and this is what the parliamentary assistant, the member for Grenville-Dundas (Mr. Irvine) was saying: "Don't believe we will ever do it. We are going to attach conditions. We are going to vet this kind of power." Mr. Speaker, if they are not going to do it, why do we have to trust them? Because, frankly, we don't. If the government has no intention of doing this kind of thing, why doesn't it say so in the section that deals with delegation of ministerial powers—and it doesn't.

Finally, Mr. Speaker, in the immediately following subsection of the section dealing with the delegation of powers, there is the power to the local council to delegate its powers further to a municipal officer. That municipal officer can be designated either by his name or by his office, and I think that this is the most obvious and errant negation of the democratic principle.

What is made possible under the specific wording of this Act is an ability by the ministry to set up local planning tsars, who will be able to plan and make decisions that are final, without any reference to anybody, without holding public hearings—and the Court of Appeal said that can be done without going back to the council. There is no provision in that statute that they have to go back to the council. It is not enough for the hon. member for Grenville-Dundas to say: "They will and the council wouldn't let them get away with it."

Mr. Speaker, I worry about things like that. If the council has the power to do it, a council could do it and we will get local dictators who will be able to make these decisions without any reference to anybody.

I make my appeal for one last time in connection with Bill 264, Mr. Speaker.

Mr. Singer, seconded by Mr. Nixon, moves that Bill 264 be not now read a third time but be read a third time this day three months hence.

Mr. P. D. Lawlor (Lakeshore): Mr. Chairman, this is a case of the last minute raid upon both our time and our intelligence in this House.

I wish I could say the legislation was fundamentally flawed. I do not believe that is really the case. There are things in the bill which are so questionable as to require our asking that it be put over and reconsidered. There was the business of bringing it in at this late date—we have said it ad nauseum now—when every clause in the thing could have been and was laid down many months ago.

In the case of section 10, having to do with subdivision powers and having to do with things like flood-lighting and access ramps, etc., it was all in a bill passed through this House three years ago and submitted to this assembly in 1971 by the Law Reform Commission. There was no conceivable reason for that.

I say it is not fundamentally flawed on two accounts. One of them I don't mind particularly and think it is a beneficial thing to have the checkerboarding concept wiped out to the extent that this legislation purports to wipe it out. That has been a long-standing difficulty in the province and there weren't last minute exigencies requiring it to be brought in. I would say the section, as we said on second reading, wasn't cast broadly enough. There was no reason when the government brought it into this House not to throw a broad net to catch as many little fish, as well as the big ones, as possible.

It leaves its legislation inviting those curious machinations and strategems of conveyancers. I don't think it is going to be a difficult thing for the profession and for those who are employed by developers, to set up another slight strategem by way of deeds to uses and by the utilization of trust ideas. That could have been avoided, I say, by simply bringing equitable fees, along with legal fees, under the ban of the legislation in the broadest terms possible.

I think we would have done with this matter once and for all instead of it being a recurring thorn in our side year after year in this House, with people being mulcted of their life savings and the whole of the conveyancing practice in the province being set at odds.

So far as the section goes in alleviating present ills and not in its vision of future possibilities it is valid legislation, as is the section on partial discharges which closed the last major loophole thus far surveyed by the court in that wise.

But there are two heads on which we find this legislation completely unpalatable. The one has to do with the delegation of powers situation under the Act, under section 13. That, on the other side, is cast much too broadly—the delegation of a minister's powers to a council, which in turn in some parts of the province can delegate them off to a single individual in some cubby-hole.

I am particularly concerned about the metropolitan regions of this province, even in Etobicoke. That redounds upon the head of this particular person unimaginable powers and possibilities. A government doesn't pass legislation which leaves these possibilities gaping. It forfends against it, and that is the purpose of the legislation. It also forfends against it in terms of the ensuing litigation as to the interpretation of the clauses, because they are indeed highly ambiguous.

In this particular matter we will continue to raise our voice against the legislation. I think it is a question of last-minute draftsmanship, of bringing things in too expeditiously and not giving sufficient cognizance to the niceties of legislation coming before the House. This always happens in this kind of situation.

Mr. Speaker, you know you can't bring legislation in this way. It is possible in bicameral houses. If there were a Senate in this province—which thank God there isn't —an upper House, then it is conceivable that governments may be permitted to forward legislation, to bring it in and to ram it through, as it always gets a second survey at a different level in that other place. But not in a single-house Parliament such as this, where the final determinations must be definitively arrived at. What we do can either breed endless litigation out there or cause disruptions in the criteria of the law and its certainty. In that way then, it is an inadmissible proposition that legislation, having the import of this, should not be brought at an earlier time before the House. It should be brought at an earlier time and a fuller opportunity should be given the people who are most interested in this sort of legislation to have their voices heard in a committee downstairs, which we have adequately provided for and which we are more than willing to serve upon.

The last thing is that my colleague, who will speak in a moment on this issue, has brought in numerous amendments with respect to development control and all its aspects. We know that the Liberals are deadly opposed to that. In the clarion call of a misguided and benighted free enterprise philosophy, having to do with land and not to do with human beings, they talk about the rule of law. My left eyebrow! We have brought these forward; they have been cast out; they have been ruled out and rejected by the parliamentary assistant and by the minister throughout this legislation. On that ground alone we oppose this legislation at this stage.

Mr. M. Cassidy (Ottawa Centre): Mr. Speaker, I have one or two comments about the bill too, which arise in the light of the committee stage of the bill and as the bill has been reported into the House.

As the Speaker may be aware from having listened in to the committee of the whole, there were one or two amendments that were offered from the Liberal Party and from ourselves, that were accepted. For those small mercies we do thank the Treasurer's assistant.

But in the basic bill as we went through it, Mr. Speaker, it became more and more clear to me there was a real danger of a whitewash being done in this particular area of development control, which is one of the chief areas of the bill.

It was a whitewash, a kind of attempt at legislation which could have enormously damaging effects as far as municipalities in the province at this time are concerned and the kind of grip they are trying to take over the headlong development and headlong growth to which they have been subject over the last 10 or 15 years.

It was curious to me from the very beginning that the bill talked about development control, when it was clear that the

government only wanted to bring in something about site plan control. That became much more clear, Mr. Speaker, as we went through the bill clause by clause and tried in a number of areas to expand the powers of municipalities to reach agreement with developers in some pretty crucial areas of land use and of developments going ahead, in their downtown areas in particular or, in fact, anywhere within their municipal boundaries. The government was simply unwilling to budge to any extent at all.

The problem with all this, Mr. Speaker, is the following: The legislation that we have had to consider this week—without public hearings, without a chance to consult the public, without a chance to talk to planners and so on—the legislation we've had to consider is legislation of the 1960s and not of the 1970s.

It was first proposed in a private bill that the city of London got back in 1965; and it's a very curious thing, Mr. Speaker, that those private bill powers given to the city of London have never been exercised effectively by the city of London. They had to find an alternative means under the Planning Act, because the powers they got in 1965, and which are duplicated in the bill we have before us, were simply inadequate.

If they were inadequate for London back in 1965, it is clear to many members of the House, if not to the government members present, that those powers in 1973, with all that has changed in municipal planning and in the public's perception of what our cities should be—with all that has changed, those powers are totally inadequate at this time, Mr. Speaker.

This legislation allows a municipality to sit down with the developer and simply to talk about a few accessories. It's a bit like saying that anybody who wants to buy an automobile can dicker with the vendor as to whether there should be a mirror, an AM radio, an FM radio, two sets of headlights or one set of headlights; but he can't talk with the vendor about whether the car should be small but powerful or small but low-powered, whether it should be a station wagon suited to his needs or a pickup truck, or something like that.

That's the kind of situation the municipalities are in. They've got to take the basic proposal by a developer and they have to simply accept it, because the government doesn't seem to feel there should be any more interference than it has proposed with the rights of private property, I suppose.

The funny thing about this, Mr. Speaker, is that enlightened developers—and I have great respect for some of them; they make money, they make millions—but some of them have also done some fairly enlightened developments in our cities. Enlightened developers, I would suggest, Mr. Speaker, are willing to go a lot further than the government has been prepared to go. Developers like—if I can dare use the name among my Socialist colleagues—the Trizec Corp., originally William Zeckendorf's outfit, which built Place Ville Marie and the whole shopping complex around Place Ville Marie in Montreal, have been responsible for very enlightened developments.

Mr. Bullbrook: Point of order.

Mr. Speaker: Point of order?

Mr. Bullbrook: Yes. I apologize for interrupting the hon. member, but I've been looking to see if we have the reprinted bill, and it's not available to us. I don't know how we can discuss third reading of the bill or this motion unless we have the bill available to us, as amended, to see if the amendments as proposed and accepted are there. I suggest to you, with the greatest respect, Mr. Speaker, that this entire debate is out of order.

May I say to you, I suppose as a gratuitous aside, that it is too often that the leader of this House puts the Speaker and the other members in this position of having to order the business properly. I put it to you that the debate is out of order if we can't digest the bill itself.

Mr. Speaker: Well, I had assumed that the reprinted bill was available to the hon. members, but from my recollection of the standing orders, if the bill is not printed and available to the members, we cannot proceed with third reading. Therefore, I think that we should adjourn any further discussion in connection with this bill until a printed copy of the bill is available to the hon. members. Agreed?

Agreed.

Mr. Speaker: I should probably point out to the hon. member for Ottawa Centre that when the bill is available, he will be called first to complete his remarks. Is this agreed?

Mr. Cassidy: I am agreeable, Mr. Speaker. I suppose technically speaking we might do the whole thing over again, but the comments of the hon. member for Lakeshore and the hon. member for Downsview are already on the record, and I will certainly have three or four minutes of comments to make.

Mr. Speaker: Well, I am sure that it will be quite agreeable to call on the hon. member again to complete his three or four minutes of comments.

Mr. Cassidy: Thank you very much, Mr. Speaker.

Mr. Singer: I may have a few more comments.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): On this question of the point of order raised—

Mr. Cassidy: It has been agreed.

Hon. Mr. Lawrence: —my understanding is that the scope of third reading is not one of dealing with the bill section by section as we did in the House in committee; and that there is absolutely no necessity for the actual reprinted bill to be available to the House. Therefore, I think I have no other alternative but to appeal your ruling.

Some hon. members: Oh, oh.

Mr. Bullbrook: Through you, Mr. Speaker, may I ask the provincial secretary to reconsider his position for a moment. I agree it's not a question of our discussing particular sections, but does he not see the ludicrous aspect of this, that we are discussing a bill and we don't know what it says. We are being asked to give third reading to a bill when we don't know at all what's in that bill. That's the difficulty that we're placed in.

Mr. Singer: How dumb does he want to look?

Mr. Speaker: I think the standing orders are quite clear in this respect. If the bill is not available, it may not be proceeded with.

However, if the hon. minister wishes to challenge my ruling; if five members will rise they may so challenge my ruling.

Call in the members.

Mr. Speaker: I should perhaps explain to the hon. members just what has taken place.

Mr. Singer: Yes, the Conservatives were wrong again.

Mr. E. Sargent (Grey-Bruce): Don't resign now.

Mr. Speaker: Perhaps I should correct that and say that I shall attempt to explain to the hon. members.

During the course of a debate on third reading of Bill 264, it was brought to my attention that the bill, which had been referred back from standing committee, had not been reprinted and distributed to the hon. members, as amended.

Rule 48(b) very clearly covers the situation; if the bill has not been reprinted, it may not be proceeded with for third reading. Recognizing this then, it was agreed by the hon. members that we would adjourn the debate on third reading of that bill, on which a hoist motion had been presented, and we would adjourn it until such time as the bill was printed.

This was agreeable to all hon. members, whereupon the ruling was challenged. I believe there was a misunderstanding in connection with the challenge of the Speaker's ruling, and I am quite prepared to accept the fact that there was a misunderstanding. However, by the rules of the House, I see no way in which we can dispose of the matter without proceeding with the vote.

Therefore, those who are in support of the Speaker's ruling will please rise.

I recognize that the opinion will probably be in the affirmative, however the standing orders do provide that the members rise one at a time.

The House divided on the Speaker's ruling, which was upheld on the following vote:

AYES

Auld
Beckett
Bennett
Birch
Bounsall
Braithwaite
Breithaupt
Brunelle
Bullbrook
Burr
Campbell
Carruthers
Carton
Cassidy
Deacon
Deans
Drea
Dukszta
Dymond
Edighoffer
Evans
Ferrier
Foulds
Gaunt
Germa
Gilbertson
Good
Grossman

AYES

Haggerty
Hamilton
Handleman
Henderson
Hodgson
(Victoria-Haliburton)
Hodgson
(York North)
Irvine
Kennedy
Kerr
Lane
Laughren
Lawlor
Lawrence
Leluk
Lewis
MacDonald
Maeck
Martel
McIlveen
McKeough
McNeil
McNie
Miller
Morningstar
Morrow
Newman
(Windsor-Walkerville)
Nixon
(Dovercourt)
Nixon
(Brant)
Nuttall
Parrott
Potter
Reid
Reilly
Renwick
Rhodes
Riddell
Root
Rowe
Ruston
Sargent
Scrivener
Singer
Smith
(Simcoe East)
Smith
(Hamilton Mountain)
Snow
Spence
Stewart
Stokes
Timbrell
Turner
Villeneuve
Walker

AYES

Wardle
Welch
Wells
White
Winkler
Worton
Yaremko—87

NAYS—0.

Clerk of the House: Mr. Speaker, the "ayes" are 87; the "nays" are none.

Mr. Speaker: I declare the ruling upheld.

Mr. R. F. Nixon: Mr. Speaker, on a point of order, if the minister is not going to indicate what the misunderstanding was, perhaps you could explain to the House how it came that the bells stopped ringing and the debate began without the whips coming in?

Mr. Speaker: My understanding is that that also was a misunderstanding.

Mr. Singer: It's just a misunderstanding afternoon.

Clerk of the House: The 10th order, resuming the adjourned debate on the motion for second reading of Bill 274, An Act to amend the Ministry of Education Act.

MINISTRY OF EDUCATION ACT
(*continued*)

Mr. S. Lewis (Scarborough West): Withdraw the Act.

Mr. J. E. Bullbrook (Sarnia): There could be another crisis any moment.

Mr. M. Cassidy (Ottawa Centre): They all flee the ship; they won't support the minister.

Mr. V. M. Singer (Downsview): Who's in charge now?

An hon. member: It must be pretty lonely over there.

Mr. Lewis: So they all flee the ship.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Singer: Don't do anything until you hear from me, Mr. Speaker.

Mr. E. W. Martel (Sudbury East): Mr. Speaker, if the Minister of Education (Mr. Wells) would withdraw the bill we could

get onto more serious discussions and get out of here.

I think the minister has got himself in a bind, and if he just would follow the suggestion I put in the form of a question to the Premier (Mr. Davis) earlier today to withdraw the bill, adjourn the House, and give the mediators an opportunity to assess the situation, then in fact we could find ourselves with the mediators in a position of knowing within a week how the situation is going. If it would appear as though the 16 outstanding cases could be resolved we wouldn't need to proceed with this mish-mash called legislation. Well, mish-mash is a pretty good word for it.

If it didn't work, and the government was still adamant in its position and insisted on going ahead with the legislation, then in fact the Premier could have the House reconvene sometime next week. They could then use their overwhelming majority to hammer through a bill which doesn't make any sense to anyone except Tories.

In picking up where I left off this morning, the minister's statement rings a bell. It sounds much like the Premier's statement last March with respect to the elevator strike. You'll recall that one when, all of a sudden, the public interest and the safety of the citizens of Ontario was jeopardized by the elevator strike. Yet when that announcement came it was about March 7, and the Premier saw fit to introduce the bill on March 21, I believe. In the two-week period, because there were two by-elections on, the safety of the people in Ontario didn't matter a damn. But all of a sudden, on March 21, it became imperative. It was just a red herring.

The Minister of Education's statement about the children being used as pawns in this dispute is also a red herring. As I said this morning, if our educational system is that tenuous that children who are going to miss possibly a week's school will be failures, then in fact I suspect that the whole educational system needs a revamping—if that one week could bring such catastrophe into the field of education.

The government as usual—and it's interesting that the Liberals are with us on this one—is wont always to penalize workers—

An hon. member: Is the member sure?

Mr. Martel: —whether they be teachers, elevator workers, hospital workers and so forth; it can come down very heavily on that group of people. They never come down heavily, interestingly enough, on doctors, whose salaries I think, as a result of the budget this year, would be on an average 76 grand. No flak from the Tory backbenchers then. That's legitimate isn't it, $76,000 on the average, based on the $600 million? There was no flak; the Tories accepted it.

But teachers, who are also professional—not many of them, by the way, have as much education as many doctors in terms of years at university and so forth in today's situation. Their salary isn't even remotely that of a doctor, or a dentist, or an orthopaedic surgeon, or anyone, or an orthodontist. But the crunch can come against the teachers, as it did, of course, with the elevator workers.

As I say, it is delightful to have the Liberals with us on this in opposing compulsory arbitration; but that is class-oriented. They voted compulsory arbitration in the other instances. So I think they pick and choose who they will endorse for compulsory arbitration.

I call that opportunism; because that's really what it is. It is class. They will support the teachers against compulsory arbitration, but not the elevator workers; or not the hospital workers, who have one of the lowest salaries in the province; or not the Hydro workers. That is class at its worst, and it is opportunism. Although I endorse some support, for a change, for working people from the Liberal Party.

Mr. Bullbrook: What does the member mean by "class"?

Mr. Martel: I mean by class that the Liberals pick and choose; they pick the professionals.

Mr. F. Laughren (Nickel Belt): Class struggle.

Mr. Martel: Yes.

Mr. Bullbrook: The same as the member for Scarborough Centre.

Mr. Martel: Yes, class. The Liberals see fit to support the teachers because there are 105,000 of them; but not the elevator workers—they were dispensable. The Liberals could get rid of them. But with teachers, there are 105,000 of them; so the Liberals changed horse in mid stream. I find that opportunism.

Mr. J. R. Breithaupt (Kitchener): There are just as many hospital workers as there are teachers.

Mr. Martel: I find that opportunism at its worst.

Mr. D. M. Deacon (York Centre): The member for Sudbury East is usually believable.

Mr. Martel: Well, I suggest the members pick up Hansard and read what is written in it; what is recorded in Hansard—and it will show how they voted last spring.

Mr. Breithaupt: It certainly will; there is no question about that.

Mr. Laughren: The union wanted it settled that way too.

Mr. Martel: Do the Liberals think they can pick and choose like that? I am sure the hospital workers wanted it settled that way, too.

Mr. Breithaupt: We were working in the public interest.

Mr. Martel: Oh, the public interest? Yes, he means expediency—the Liberal public interest.

Mr. J. R. Rhodes (Sault Ste. Marie): Don't get angry at the Liberals. The NDP loves them in Ottawa.

Mr. Martel: Yes. Well Mr. Speaker, it is rather interesting, as I listened in the last couple of days to the various comments I picked up on this bill and the positions taken by individual Tory members.

As I said this morning—and I contradicted my leader—I don't believe there is a Tory in here who doesn't want this bill introduced. And some of the comments I heard are that teachers really don't care about kids. I could name—and I won't—the member who passed that little tidbit on to me. Or that the teachers were destroying themselves in this process; when in fact the real culprit is the government type of funding. Another Tory back-bencher told me this morning that teachers aren't dedicated like they used to be.

Well, what a lot of gobbledegook. One only has to go into most of the schools in Ontario to realize just how dedicated the overwhelming majority are. As in any profession, any field of work, you are going to find one or two in a staff, maybe one, who is a kind of—but you don't put all of the teachers in that category.

Mr. Breithaupt: I find one or two around here.

Mr. Martel: That's right; you find one or two around here who find it pretty easy not to work too hard.

Now, what in fact has happened—I want to get to the bill—is how do you nullify something that was in existence? I really find that disturbing. How does the government say to the teachers who had the right to resign on Nov. 29, that they now, because of this legislation some four, five or 10 days later, couldn't submit their resignation? They, in fact, have met what was in the Act at the time. How in God's name does the government make it stick? I have an interesting telegram. And it is one of over 100 that I understand—according to the telegraph office—are on their way to me. It says:

THE FOLLOWING MOTION WAS PASSED LAST NIGHT AT A PROVINCIAL EXECUTIVE MEETING OF THE ONTARIO ENGLISH-CATHOLIC TEACHERS' ASSOCIATION: WHEREAS THE MINISTRY OF EDUCATION AMENDMENT ACT, 1973, CLEARLY SHOWS THAT JUSTICE AND LAW ARE NOT SYNONYMOUS AND WHEREAS THE AMENDMENT IS REPRESSIVE LEGISLATION, AND IS THE ANTITHESIS OF THE RULE OF LAW, AND IS IN ITSELF AN ACT OF VIOLENCE, BE IT RESOLVED THAT THE PROVINCIAL EXECUTIVE OF OECTA DOES NOT FEEL MORALLY BOUND BY THE PROVISIONS OF THE AMENDMENT.

Hon. T. L. Wells (Minister of Education): The member doesn't agree with that, does he?

Mr. Martel: I agree that the government can't make it retroactive.

Hon. Mr. Wells: The member doesn't agree that the bill is an act of violence?

Mr. Martel: Physical violence, no. No, the minister hasn't gone out and beaten anyone up; but I want to tell him that he has destroyed the morale of many of those people by this Act. It has been made retroactive; yet I fail to see how the government can do that, even by an Act of this House. Maybe I am wrong, I am no legal beagle, but I—

Hon. G. A. Kerr (Provincial Secretary for Justice): It would be even tougher in January, wouldn't it?

Mr. Martel: The government might allow the collective bargaining process to work its way through. Has the minister ever thought of that?

Hon. Mr. Kerr: Let's hope it works.

Mr. P. D. Lawlor (Lakeshore): Why would it be any tougher in January?

Mr. Martel: As I said to the Premier today, maybe we could wait until next week so that the Minister of Education could find out what his mediators know and to see if most of these are within striking range of being resolved. And if necessary, we come back then. Why not give the mediators a chance to do the job before the minister introduces this legislation which is retroactive? Members can't say it isn't because the Act clearly spells out that I, as a teacher, could resign twice a year, on Nov. 29 and May 29, I guess, to take effect the following month.

Interjection by an hon. member.

Mr. Martel: There's not much chance of that; they rule with the divine right of kings. This legislation certainly indicates that. The government runs roughshod over everything that exists as though it didn't matter a tinker's damn.

Mr. B. Gilbertson (Algoma): He can't say that. The member has had more done in his riding and he's in the opposition.

Mr. Martel: That's because of me. I can't help it if the government isn't that progressive. I happen to be.

I find that what is going to come out of this is more dissension than the minister already has. I want to read the letter we had from OTF because only parts of it were put on the record a while ago. I think it indicates what is going to happen as a result of the legislation. It came to all the members today:

> The government has said that the interim bill is designed to keep schools open and to maintain peace in the school system.
>
> The teachers of Ontario have, since 1944 when the Teaching Profession Act was established, negotiated thousands of collective agreements with school boards. In all that time, schools have been closed by disputes in only three communities; for 17 days in one, for three days in another and two days in yet another. The schools have been kept open without government intervention.
>
> The interim bill has provoked teachers to outrage. No problems were expected until Jan. 3; even before that date arrives this interim bill is apt to cause more loss of school time than was lost in all the 30 years when teachers and boards were allowed to tackle their own problems. It will cause more loss of school time than would have flowed from the problem situations remaining on Jan. 3 if they were still unresolved. The cure is infinitely worse than the disease.

If the 105,000 teachers in Ontario walk out on Tuesday next, 105,000 total teaching days will be lost in one fell swoop. As they point out, there will be more time lost in one day as a result of one ill-conceived bill which violates all the collective bargaining process.

That doesn't mean to indicate it will terminate there, because as one knows, OECTA has also indicated it will probably go out on Jan. 4 as well, the day after school reconvenes. I believe it has 16,000 or 17,000 teachers, so again we have more time lost in that one day than has been lost in the province in the 30 years before the bill was in existence.

The minister might pat himself on the back. What he will do if they go out, is say to the public: "We told you they were irresponsible and they were radical and they were using the kids for their own ends." It will all be there—a platform for him.

I might accuse the Liberals of some political expediency. I suggest that there is a lot of political expediency here and the minister is driving the teachers to go out next week. Then the Tories will all get up and say: "We told you".

The minister could avoid it if he would allow collective bargaining to go on, but he doesn't believe in it. The government didn't believe in it in the hospital workers dispute or the elevator workers dispute. It doesn't believe in it for the CSAO, and really doesn't believe in it for anyone.

Mr. I. Deans (Wentworth): This is the second stage.

Mr. Martel: This is the second stage. That's right. It was with regret that the government got into the private sector in March, wasn't it? Those were the Premier's words, "With regret, we move into the private sector to force compulsory arbitration". Every time it's a little easier than the time before. This is twice in this session, and it gets a little easier to force compulsory arbitration.

Mr. Deans: They are inching their way along. There will be more of it next session. I don't know how they have the nerve to keep coming back here every day.

Mr. Martel: It gets easier and their consciences don't bother them as much. I'm not sure they've got consciences.

I go on with the letter from Mr. Wilkinson:

> The interim bill will not maintain peace in the school system as it authors say it is

intended to do. It provoked outrage and dismay before it reached second reading.

I want to tell the minister that I just happened to be in two different schools on Tuesday—not related to this—at the invitation of the board of education in Sudbury. He should have seen the flak and the response I got.

The teachers said: "If they think this is going to encourage any of us who have been staying on a volunteer basis doing extra-curricular work in the evenings with the kiddies coming back and forth, if they think this is going to encourage us as teachers to move ahead and to continue, they are crazy. We will do just the opposite. We, in fact, will start to withdraw our services, because we are not going to be doing them willingly. It is with resentment that we will do them."

This is not the case now. The vast majority of teachers do it because they feel it is part of the total development of the young people and they have done it without remuneration in most instances and willingly, spending many, many hours extra at school. They are not going to do it now. If the Minister of Education thinks they are, boy, he is really whistling up the creek.

Mr. Laughren: Is the minister whistling up the creek? Shame on him.

Mr. Martel: I go on from the letter: "If it is passed and proclaimed"—and there is no doubt it is going to be. From the Premier's response today and from the responses from individual back-benchers of the Tory party, there is no doubt they intend to ram this thing through—absolutely none.

They've got 76 seats and they've got the pulse of the people and they know they've created bugaboos about the cost and about teachers being the real problems in this escalation of costs. They play it for all it is worth, with total disregard, however, for the 105,000 teachers involved. The minister expects them on Jan. 3 to come trooping into their classrooms, happy as larks, and to take up where they left off. If he thinks that he is crazy, and I suspect it is the latter.

The letter says: "Reason requires that it be withdrawn." Well, there will be no reason —absolutely none. The government has itself boxed in and will drive it home no matter what anyone says or no matter how much the teachers in the province implore the government to let it cool for a little while.

That's what I suggested this afternoon. Let it cool for a while. See what the mediators can do, give it a week, get an assessment of the individual problems and see if they are close to being resolved.

Mr. R. Haggerty (Welland South): They should have done that six months ago.

Mr. Martel: But no way, not the Tories. They'll penalize them. They love to show their power—76 seats. I go on with the letter:

> The government has amended the bill, but the amendment merely changes the legalese and does not change the meaning.

Mr. Lawlor: They have been in office much too long. It makes them purblind and arrogant. They don't realize this themselves.

Mr. Martel: I am coming to the third item in the letter today from the OTF, and they happen to represent all of the teachers. When the member for Wellington-Dufferin (Mr. Root) gets up and tries to make it appear as though there is a school board area that is supporting the legislation, that is a lot of nonsense. The letter says:

> The interim bill is a government big stick. The government big stick is forcing the most moderate teachers into conflict positions. The teaching profession has demonstrated by its unequalled record of peaceful negotiations that it responds to reason. The big stick is no substitute for reason. We suggest that the government put away its big stick. The bully never has been popular and inevitably he has caused those he bullied to unite in anger and cut the bully down to size.

Wacky Bennett took on the teachers for a number of years, until about two years ago when the teachers decided that was enough of this nonsense and they set up a fund. Do members know what happened to Wacky Bennett? He's no longer there, so don't think this government is invincible.

Hon. Mr. Wells: The member goes on like a broken record.

Mr. Martel: Well, we might sound like a broken—

Hon. Mr. Wells: There's a rule in here about repetitious debate.

Mr. Martel: Is that right?

Hon. Mr. Wells: Yes, that's right.

Mr. Martel: There was a ruling in the debate that says—

Interjection by an hon. member.

Mr. Martel: Over again.

Mr. Lawlor: That's the first time Wacky Bennett has been given dishonourable mention.

An hon. member: I don't think it's funny.

Interjections by hon. members.

Mr. Martel: Obviously the repetition—

Hon. Mr. Wells: I get it, it's just around and around.

Mr. Laughren: The minister isn't the fastest guy in the building.

An hon. member: All we have to do is let them run down.

Mr. Martel: We can't help if the minister is going around in a circle and won't stay still long enough to find out what's going on.

Hon. Mr. Wells: I am not. The member is the one who's going around and around.

Mr. Martel: Oh, no; the minister won't stand still long enough to find out what's going on around him.

Mr. Laughren: Withdraw the bill and there will be no more repetition.

Hon. Mr. Wells: Everyone has mentioned British Columbia. Why don't they mention Quebec sometimes?

Mr. Martel: The fourth point:

> The interim bill is also a colossal misjudgement. Whoever advised Mr. Wells to put it through can take credit for politicizing teachers more in three days than had previously occurred in three decades.

And it again goes around to the minister, through you, Mr. Speaker—

Hon. Mr. Wells: What about Manitoba?

Mr. Martel: —that if OTF is correct in its assumption, and I presume they are, how can this minister expect to work with them starting in the new year—or starting tomorrow? How in God's name are they going to trust one thing the minister or his ministry says from here on in?

His position is untenable. I suggest he ask the Provincial Secretary for Resources Development (Mr. Lawrence) for his job. The minister could become one of the think pieces and somebody else could fill his role and he could go quietly into oblivion like the member for Carleton East and the member for Halton. I am sure that the minister who is a think piece for Justice would love to take that seat, then he could get back in the limelight.

The letter says: "Reason requires that the bill be withdrawn."

The fifth point:

> We are not dealing with a storm drummed up by teachers or by federations —we are dealing with a storm drummed up by the government among teachers and federations.

And as I said earlier this morning, I suggested to teachers in my area, and boards in my area, that they stop being the pawns for the government, that they lay the real problem where it belongs, at the door of the government.

The government has teachers and boards hacking away at one another, fighting like mad with one another, and the people who are pulling the strings are in Queen's Park, really. It's right here that the decisions are made, and rather than have them appear to be responsible in the public eye, the one group that is primarily responsible is the one that has got away scot-free except in the last three days, that is the Ministry of Education.

Mr. Laughren: The students are no more pawns than the teachers and trustees.

Mr. Martel: The sixth point in their letter:

> I appeal to the government to examine the situation dispassionately. The process it is carrying on is about to do irreparable harm to the school system because it will alienate even the most moderate teachers. Only the government can stop it.
>
> In reason [he finalizes] I ask that the bill be withdrawn.

And it's signed by G. P. Wilkinson, president of the Ontario Teachers' Federation, on behalf of the five affiliates.

As I say, I know that the government will push this through regardless of what the public or those most affected say at this stage. It will take from the teachers the only weapon they had, the withdrawal of their services through mass resignation. It has even further handicapped them—the government is going to force them to negotiate; the mediators are out today and there's a shotgun or a cannon at the heads of those teachers and those boards to get it resolved.

The teachers know that they can't even resign; the one weapon they had has been taken away. The government has got a shotgun and it is saying: "Resolve your differences amicably, and if you don't in the next

three weeks, our bill will force it on you anyway" and if that's collective bargaining?

But what's even worse, the government has it fixed so that even the arbitrator, should that come, can't go beyond the limits as laid down by the government. Even if the arbitrator finds a situation is unjust he can't go beyond the limits as laid down by the Ministry of Education. So what in fact the government has said is: "This is the amount you will receive."

They say the measure of defiance is going to get worse than it is already. It is interesting you know, Mr. Speaker, when I started out this morning I mentioned my first days in the federation and how lacking in militancy it was. Then for six, or seven, or eight years while I was in the teaching profession, I continued to urge them and couldn't budge them. Yet the government has done more in three days than all of those of us who felt they weren't militant enough did in 15 years. It has succeeded where all of those who were looking for a say in education—some input into working conditions and so on—where we couldn't push the federations far enough, the executives and the main bodies to strive harder for it, we couldn't do it; but the minister has done it for us in three days. And he is going to find that dealing with federations from now on, regardless of what happens now, is going to be much more difficult than it ever was in the past. I give him credit for doing that.

We have telegrams—all of us have telegrams. I don't know if the Tory backbenchers have telegrams; I suppose they have, and they won't bother to acknowledge them. Or if they do, they will give the pat answer that "they had to save the kids"—that sort of nonsense. Because of his guidelines, I am wondering if the minister is really worried about saving the kids.

I did some checking in the Sudbury area as to where some of the cuts were. The ratio in the separate school system is 31:1; and that can be reduced further, to about 25:1, if we don't count the consultants. Well, the consultants only come in; but the separate school system is in a bind, in that it has French and English sections, so it takes almost double the numbers of consultants.

In fact, when we talk of the teacher-pupil ratio in the actual classroom situation, it is 31:1. And in some it is much higher than that because it isn't all that easy to break down.

Some of the school boards don't have librarians any more. In a day and age when we are talking about individualized work, librarians no longer are in some of the libraries, as they were several years ago. Now that's progress.

In the Sudbury area they are being forced to reduce special education. So what? It only affects some of the kids who are slow learners or who have perceptual handicaps. We don't have to worry about those kids, do we? They are not ours. If I followed the minister's philosophy, I could get my own child's classroom situation straightened out, and each Tory member could do it too and our children would never be affected. But I said no to that type of philosophy. We should do it for them all. So the restraints are there.

I might add that the separate schools—and I don't want to drag a red herring into this—are in an even more tenuous position, because their grants overall are about 92 per cent, as I understand it, of those to the public schools. This is one of the reasons why we have 11 or 12 separate schools involved in this situation. When we have percentage increases, as all of us here know, the one with the highest percentage gets the highest amount in actual dollars. So if they were getting 92 per cent—I don't care how we cut it because that is dragging a red herring into it; I am talking about the overall total grant picture.

If one gets roughly 92 per cent of the other person's amount, then in the percentage situation, as has been the case over the years, that 92 per cent becomes 91.5 per cent and then 90.5 per cent. Maybe one per cent doesn't appear to be significant, but in fact it could strait jacket a board that needs that one extra per cent as the discrepancy widens.

Maybe the minister in his answer would advise whether they have done any checking, because Fr. Carl Matthews indicates that there has been a widening of the disparity in the total grant picture in the last couple of years—not deliberately, but just because of the formula. Therefore, I suspect they would perhaps be in a little more difficult position.

Be all that as it may, I am suggesting to the minister that he should withdraw the legislation, because he is destroying the right for collective bargaining; he is agitating teachers to a point where he will never be able to work with them in future; and he is trying to do something that is most reprehensible, and that is to take away from the teachers the right to resign—and he makes it retroactive. I implore the minister to use a little common sense, withdraw the legislation and let his mediators do the job they are out there to do now, without using the big stick. Thank you, Mr. Speaker.

Mr. W. Ferrier (Cochrane South): Wonderful speech.

Mr. Speaker: The hon. member for Hamilton Mountain.

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, I rise to support this bill and the minister.

It is very similar to the fable I've recently heard involving a conversation between two laboratory mice. One had just heard that the other had volunteered to participate in an outer space programme and said: "Don't you think it is a rather risky and dangerous venture?" He said: "Yes, I agree, but it is better than cancer research."

The Premier has mentioned this afternoon that it is an unpleasant bill. I'm sure all of us would like to have seen, and hope as well—

Mr. E. Sargent (Grey-Bruce): Would the member say that again?

Mr. J. R. Smith: All of us would hope that the 16 boards concerned in these negotiations—

Mr. Lawlor: Which mouse is the minister?

Mr. J. R. Smith: —can resolve the negotiations by Dec. 31.

Interjection by an hon. member.

Mr. J. R. Smith: The thing that has disturbed me during the past few sessions of this House when we dwelt on this legislation is the constant reference by a number of members of the opposition parties to the fact that they are really not interested in education being a continuous process. It really doesn't matter if the schools are closed for three weeks, six weeks, three months or so on.

Mr. Haggerty: We are going to listen with interest every time he gets up to speak.

Mr. J. R. Smith: Mr. Speaker, we have heard telegrams and letters ad nauseum from various special interest groups. I think the broader community, the total community, has a great deal to say on this as well, particularly today's press. For the benefit of some of the members and people in my own riding who might not have seen today's Sun, for example, the editorial says,

> Probably no group in our society has lost as much public respect in recent years as teachers. It used to be, in the bad old days, that respect was the only thing teachers had, for they certainly didn't get much pay.
>
> Now the situation is reversed. Pay is good, prestige is low.
>
> Something has gone sour in education. Teachers blame policy, and to a degree they are right. But teachers are the front line troops of education policy—the ones who teach and influence our children.

Mr. Martel: If the member had a brain in his head he'd be dangerous.

Mr. J. R. Smith: Mr. Speaker, these are difficult days for teaching, difficult days for teachers, those in the front ranks and involved in the system. The changes in the past 10 years include new curricula and now the guidelines. Particularly, I have a great deal of sympathy for the elementary schools and how the ceilings have affected them.

Nevertheless we are confronted with the 16 boards, and if they do not settle their contracts by the end of this month, it is, in effect, a strike. Mr. Speaker, I think the teaching profession is basically not an essential service such as fire and hospital workers. Yet, in itself it is also a special walk of life, distinct from ancient times from all other walks of life. It has always had special mention.

I was interested today in some of the remarks by True Davidson, a very well known provincial leader for whom I have a great deal of respect. She said in her column:

> The teachers don't see it this way. They put themselves in the same category as men tightening screws on an assembly line. Teaching is not an essential service, says Mary Hesser, president of the Federation of Women Teachers' Associations of Ontario. Who cares whether the children of Ontario get an uninterrupted education or not?

This is what worries me, that so many people are currently thinking along the lines that it really doesn't matter.

I say it does matter, Mr. Speaker. For that very reason the progressive boards in this province, when children are sick, have provided itinerant teachers for the home and for the hospitals and so on. Indeed this very woman who writes this article knows of what she is speaking. I once had the privilege in my secondary school days of having True Davidson as one of my teachers; she was one of the finest history teachers I ever encountered. She took a great deal of interest in the history of this nation and in politics.

Mr. Sargent: She didn't do a very good job.

Mr. J. R. Smith: In those days Miss Davidson was a very avid supporter of the CCF party and now is in support of the Liberal Party. She was such a good teacher, not a dogmatic type at all. She told it as it was and let one make one's own decisions. She goes on to say,

> If I had to name one cause which above all others works towards the deterioration of a nation or civilization, I think I would point to the selfish egotism which puts self-fulfilment for parents and teachers above the needs of the growing generation.

Mr. Speaker, we are faced with in this bill, and we have heard it over and over again in the debate, with the opposition parties—the Liberal Party first of all supporting the legislation, and changing its mind when it saw the reaction among some of the teachers; joining with the New Democratic Party.

Mr. M. Gaunt (Huron-Bruce): That's not so. The member is misleading.

Mr. J. R. Smith: The one thing the New Democratic Party hoped would evolve out of this bill is a union, a marriage, between the militant element of the teaching profession and the trade union movement. I think there is a great danger in that.

Mr. Martel: Is he for real?

Mr. E. M. Havrot (Timiskaming): More real than the member for Sudbury East.

Mr. Martel: The member is a danger to himself.

Mr. Havrot: The member for Sudbury East wouldn't know what labour meant. He hasn't worked a day in his life.

Mr. J. R. Smith: I would tell the hon. member for Sudbury East that I represent, as he does, what I basically think is a labour-oriented community. I have a great deal of respect for labour and those who work with their hands.

Mr. Martel: It looks that way!

Mr. J. R. Smith: Mr. Speaker, when we are faced in the community with a long and protracted strike—it could very well be Inco, Stelco or Dofasco—nobody is really harmed in the community.

Mr. Martel: Has the member had strikes for 3½ months, anyway. Oh, baloney.

Mr. J. R. Smith: But, Mr. Speaker, when you have a strike such as we had in our community this past summer when the outside workers went out for months on end—

Mr. Martel: He says people aren't affected by industrial strikes? He must be a dummy.

Mr. J. R. Smith: Over 1,000 bodies were in storage in the Roman Catholic cemetery waiting burial in a public cemetery.

Mr. Martel: He thinks when miners are out 3½ months it is not affecting their families.

Mr. J. R. Smith: I only wish that this House had been in session and I would have been the first to rise—

Mr. Speaker: Order, please, the hon. member has had his opportunity to speak.

Mr. J. R. Smith: —to ask for compulsory arbitration to put those men back to work and to get those people buried. How do we know, Mr. Speaker, how long if—

Mr. Martel: Does he mean it doesn't affect miners and their wives when they are out for 3½ months?

Mr. Lawlor: Who paid their mortgage payments?

Mr. J. R. Smith: Mr. Speaker, the difficulty here is what happens should the negotiations not be successful and the teachers withdraw their services at the end of this year? How are we to know whether the schools in those 16 boards are to be closed for two or three weeks, or three months, and so on?

Mr. Sargent: What side is the member for Hamilton Mountain on? What side is he on?

Mr. J. R. Smith: It is all very well to say that the experience of the secondary students in Windsor was a good illustration in labour negotiations, in the matter of the picket line and the whole routine. I suppose some people would argue that would be a very good experience for some people to have the misfortune or the experience to be in a war-torn nation so they could experience that dreadful thing. I'm not one of those. And of course this not only involves secondary students, it involves also the other segment, the elementary student.

Of great concern to me is the fact that a large number of elementary classrooms are empty. What is going to happen to the continuous educational process. And what about the disruption in the homes where both

parents work. What is going to happen to the children when they are at loose ends during the day and the teaching process can't carry on?

Mr. Lewis: Come on! What happens to them on professional development days?

Mr. J. R. Smith: And I think for junior children this is very basic and important—the continuation of the educational process. And if it is going to be interrupted for protracted strikes—

Mr. Martel: Another neanderthal, only much younger.

Mr. J. R. Smith: —it can be really a great problem.

Mr. Lewis: He is the oldest young man in this House—whatever his name is.

An hon. member: The Leader of the NDP is the loudest mouth.

Mr. Gilbertson: The member for Hamilton Mountain at least has a head on his shoulders.

Mr. Martel: He might as well have it somewhere else.

Mr. J. R. Smith: Mr. Speaker, I think the last thing I and most of my colleagues would want to see are teachers' strikes. Some better way can be formed or devised. It only involves the 16 in question. It could well be that the 16 could settle before the 31st. Let's hope so. But I say to those members of the profession to be very cautious of having the flames built around them and aroused against this government by people who might try to motivate them for political reasons and political ends.

Mr. Breithaupt: What about the children?

Mr. J. R. Smith: Indeed I am becoming very cynical as to why for the past two or three days so many members on the opposite side of this House are worrying about the state of health of the Conservative Party.

Mr. Sargent: The member has to be kidding; the whole bill is—

Mr. J. R. Smith: It is most cynical. What they should really be concerned about is the overall good of the total community, the total educational community, and the good of this province.

Mr. Lewis: That's not cynicism, it is compulsion.

Mr. Speaker: The hon. member for Welland South.

Mr. Lewis: Surely this is why the profession is turning out in such numbers.

Mr. Haggerty: Thank you, Mr. Speaker, I would like to make my comments on Bill 274, an Act to amend the Ministry of Education Act, and my reasons for not supporting the bill. It is ill-conceived legislation for compulsory arbitration for the teaching profession in Ontario.

I was interested in listening to the hatchet man for the Tories, the member for Scarborough Centre (Mr. Drea)—

Mr. Lewis: He is not the hatchet man; he is the Milquetoast.

Mr. Haggerty: —when he praised and placed the Liberal Party in such high esteem. He placed them in the same category as that great man, Saul of Tarsus. That's St. Paul. And I suppose if we go back into history and follow that great man—one of the greatest orators of all time—the history of that man was that he made errors; but above all he was one of the greatest reformers of all time.

Mr. Breithaupt: Amen!

Mr. J. R. Smith: He saw the light.

Mr. Haggerty: That's right. He saw the light. But the gentlemen over there have not seen the light.

An hon. member: They never will.

Mr. Haggerty: They didn't get the message he was trying to convey—

An hon. member: Sure we did.

Mr. Lawlor: That's why he was growling under the emperor's window.

Mr. Haggerty: —when he went out on his campaigns to Greece and Rome, and when he spoke to the multitudes. That's the point this government has missed. He took the issues to the people. This government has not taken this issue to the people. It is railroading this legislation through the House in the last hours of this session.

This afternoon, we saw complete chaos when bills were presented in this House that were not formally printed. And they talk about change? Look what happened to this bill. The minister brought in one bill, and within 24 hours he had a completely new bill that should have been read a first time

in this assembly. It's a completely new bill, a complete change of heart. And the member stood up and chastised this party for perhaps making an error—I don't think it was an error; in good judgement, we accept the first readings of every bill in this House, all but one. It was a political ploy here, and it upsets the whole House, of course, but our friends to the left have pulled the same stunt.

Mr. Martel: The Liberals were supporting compulsory arbitration all along.

Mr. Haggerty: Who has been changing the colours of this House? It's been that party over there. And they've lost all the confidence of the people of this province. We've asked the minister to withdraw this bill. He withdrew it, all right; brought in another bill similar to the other one. We would ask him again to withdraw this bill, or let it go to the standing committee of the Legislature—

Mr. Lewis: It will go to the standing committee.

Mr. Haggerty: —and let the public provide input into it. Let the teachers have their say. You know, of all the discussions here in the last two days, the only thing the minister has accepted in the Reville report is the statement that the report "does not recommend a mediator or conciliation services be established in order to aid parties in settlement prior to final and binding adjudication."

This is exactly what the minister has done. He's brought in this bill for compulsory arbitration and removed the right of the teachers of this province to negotiate freely in the collective bargaining process.

The minister talks about mediators—all of a sudden, when he brings in this bill, he sent out a mediator to one of the 16 school boards in the Province of Ontario. He should have done this six months ago. It's typical of this government, when it brings in legislation, to have report after report. But it does nothing. It sits on the reports.

I would like to read into the record some of the recommendations of the Ontario Secondary School Teachers' Federation concerning the report of the Reville committee in June, 1972. I have to agree with these recommendations, for I think they represent a sound and reasonable approach to the problem that's facing us today. It's on page 9:

> We need an independent tribunal, more independent than even the tenure recommendations on page 35 could make it. There must be not only independence, but the appearance of independence. This is especially true if the first principle of the committee is to be realized. Rather, ad hoc arbitration boards—

And this is what we have had placed before us in the Legislature today, a proposal for an ad hoc arbitration board.

> Rather, ad hoc arbitration boards should be appointed, consisting of two members and a chairman, to deal with each dispute. One of the members would be appointed by the Ontario School Trustees' Council, the other by Ontario Teachers' Federation affiliate(s) involved. They, in turn, would appoint the chairman. The operations of the board would be financed jointly and equally by the school board and the federation involved.
>
> We would also suggest that if the arbitration process is going to terminate a negotiation process which will be more than drafting of a position for presentation to arbitration board, that parties might also decide on the type of adjudication process which they desire. We would suggest that the parties themselves, before entering into negotiations, make a choice, in the event that negotiations reach an impasse. The choice would be between the total judicial form of adjudication and the technique of arbitration commonly known as the final selection. We support the committee's thinking that the legislative guidelines be established as a criteria to give some frame of reference to the arbitrator. Such criteria might be in legislation as follows: [This is what they have suggested:]
>
> In the conduct of proceedings before it, and rendering its award in respect of the matter in dispute, the arbitration board shall consider: (a) the needs of the schools for qualified employees; (b) the conditions of employment and summer occupations outside education, including such geographical, industrial and other variations as the arbitration board may consider relevant; (c) the need to maintain an appropriate relationship to the conditions of employment as between different responsibilities, levels and teaching; (d) the need to establish terms and conditions of employment that are fair and reasonable in relation to the qualifications required, the work performed, the responsibility assumed and the nature of the services rendered; (e) the need to establish conditions of learning that are fair and reasonable for the students; and any other factor that appears to be relevant to the matters in dispute.

> The OSSTF's position is stated in these motions; that impasse procedure should include compulsory binding arbitration only when both parties have rejected the assistance of this respected provincial organization's independent third party conciliation or mediation, and that this arbitration begin on May 15 for a Sept. 1 agreement, dated Nov. 15 for Jan. 1 agreement date, unless both parties mutually agree not to submit their negotiations to arbitration; that if binding arbitration is used by two parties to attain finality, such arbitration should be carried out by the three-man board, one nominated by the teachers and one by the trustees as an independent chairman agreeable to both parties.

I think this is a reasonable approach by the Ontario Secondary School Teachers Federation. It is reasonable and I think they are reasonable persons; they want to see the problems solved. They have suggested guidelines, but this minister is determined to railroad this bill through here this afternoon or this week.

Mr. F. Drea (Scarborough Centre): Come on.

Mr. Haggerty: Oh, yes.

Mr. Drea: The longest railroad in Canada.

Mr. Haggerty: The member ought to believe it's a railroad. Let's not kid ourselves. We know that the top labour executives in the United States have said that strikes are outmoded. I think we all have to agree to that but it doesn't mean that this government should come in and take away the individual rights of the employees of the Province of Ontario—

Mr. Drea: I know that the member knows nothing of labour.

Mr. Haggerty: —without the proper procedures established under the rules and guidelines of any Labour Relations Act. The member well knows that these procedures are established under the Labour Relations Act.

Mr. Drea: Is he going to put teachers under the Labour Relations Act?

Mr. Haggerty: No, but we can set the same guidelines there.

Mr. Drea: The member's party has never stood for working people.

Mr. Haggerty: The process implemented in this bill is taking these rights away from the teachers and that's what I object to.

Hon. Mr. Kerr: It's an emergency bill.

Mr. Haggerty: To give further argument to it, let's look at the sections of the bill. Let's see what the minister is getting at. He says, "The Statutory Powers Procedure Act, 1971, does not apply to negotiations, arbitrations under this section."

As a lay person, looking at the Statutory Powers Procedure Act, this means that there is no right to question or full disclosure when that boards sits down to discuss the issues. In other words, the government is going to set up an arbitration board of the two parties and a third party, but it isn't going to solve the issue because there is not full disclosure of the main issues from both sides.

One of the issues is the ceilings on education. The bill pretty well singles out 17 or 16 school boards, and I assume they are all from the separate school system in the Province of Ontario. I wonder if there is not inequality of education in this system? I am well aware, from my experience on local councils, that there is a difference in the tax structure for the separate school system and the public school system. Perhaps that is where the problem lies.

I look further into the bill, under the Public Inquiries Act—and I should know a little bit about that, I am sure the minister does. I have suggested to him that he apply this procedure in the matter concerning the closure of Pelham High School. All of a sudden he slips it into this bill and he says: "I'll send out an inquiry officer to look into the issue." He could have done that a year ago if he wanted to, but he has procrastinated on this issue and he's brought it to the forefront now and made an issue out of it whereby he is going to cause complete chaos in the school systems in the Province of Ontario.

I say to the minister, when I look at the bill here and the intent of it, for these reasons I cannot support it. I hope that he does refer it to the committee here and follow that suggestion of the member for Scarborough Centre where he said: "Let's follow that principle of St. Paul." Follow that principle, let's put it to the people. Let them decide what should be done in the bill. I think they've brought in some good suggestions in the sense that they want arbitration.

Perhaps I could read into the House the list of telegrams I have here from the different school sections. This one is from Welland, Ont.—I don't see the member here right now. Here's another one from Welland; there are others from Niagara Falls, Allan-

burg, Fonthill, Wainfleet—that happens to be in my riding—several from Port Colborne, Ridgeway and Fort Erie. I'm sure the members on the opposite side have received telegrams, as well as the members to my left, stating the teachers are opposed to this type of legislation and that they want to have some input into it. Why doesn't the minister take it to the standing committee and let them deal with it there? Let him be a man for once in his life.

Mr. Speaker: The member for Sudbury.

Mr. Lewis: It won't go to committee.

Mr. M. C. Germa (Sudbury): Mr. Speaker, when the history of this debate is written, I want to be on the record as having been opposed to compulsory arbitration at this point in time. I was opposed to it on Monday morning at first reading. I will be opposed to it tomorrow, and I'll be opposed to it next week.

I have never, in all the years that I have been around the Province of Ontario, seen a situation, nor can I envisage a situation, where compulsory arbitration of any sort should be forced upon people of any category. That includes school teachers, hospital workers, policemen, firemen, or you name it. As far as I'm concerned this is a total class war and the sooner we get down to it the better it is.

I was on the front steps, Mr. Speaker, last night when probably 1,000 school teachers gathered to register their displeasure with the action this government has taken. I heard several people speaking, the presidents of the various associations; and every one, to a man, was violently opposed to the introduction of this very regressive and coercive legislation. I stood and I watched with some interest, having had certain experiences in my lifetime with frustrating legislation.

As a long-time trade unionist, Mr. Speaker, I have been in frustrating situations such as the teachers find themselves in today. I had to take on, with my fellow workers, probably one of the most vicious, richest, and most powerful corporations in this country, namely, the International Nickel Co. Three times in my life have they put me on the snowbank, on the street, such as we see the teachers here today in the Province of Ontario.

We took our beating. We've won a few battles and we've lost a few. But in the long run, I think I am better off for the struggles that I participated in, and I do not regret for one minute any lost wages, or discomfort or any other disruption which may have been caused on account of me and my 18,000 workers trying to better our station in life.

This is precisely what we are dealing with here today. The principle of compulsory arbitration is an offensive principle; it should not have been introduced at this time. As I said earlier, I don't know any point in time at which I can see I would support compulsory arbitration.

What this does is make slaves out of people. And this particular case is more reprehensible in that the government is also abrogating a contract signed in good faith between two people, namely, the teacher and the board involved. And this government is mad with power, as was demonstrated here this afternoon when even the Speaker of this House was challenged. They have the bit in their teeth and they just cannot tolerate any person, any group, anybody who even questions their motives or their actions.

I think it is a rewriting of history. There was another Premier in this country who, a short time ago, went around his province offending one group after another. He also was mad with power. He offended the teaching profession and they organized against him. This man is now out of power and this government knows who they have to deal with now. They have to deal with Dave Barrett. Now it would have been better for this government if this man had not been so corrupted with power, because Dave Barrett is coming on the scene almost daily and embarrassing this type of government like I don't know what.

Hon. Mr. Wells: Not embarrassing us.

Mr. Lewis: Sure he is.

Mr. Germa: With every programme this man upstages this government and he is a continuous source of embarrassment to right-wingers. Every right-wing government in this country is embarrassed seven days a week by the progress that Dave Barrett is making.

Mr. Lewis: That's why the whole pension debate was embarrassing to this government.

Mr. Germa: And I thank Wacky Bennett for going power mad just as I see this government going now. You know, Mr. Speaker, what this government did to the elevator workers; it went mad with power. The hospital workers are starving on the street because this government is mad with power. This government is putting the school teachers in the same boat. But I suggest to you, Mr. Speaker, that the government is dealing now with a group of immigrant hospital

workers; these people are a little more sophisticated.

Hon. Mr. Wells: Can I ask the hon. member a question?

Mr. Germa: I have the floor, Mr. Speaker, and I do not yield.

Hon. Mr. Wells: All right. He doesn't yield to a question; isn't interested.

Mr. Germa: This is not the question period.

Interjections by hon. members.

Mr. Germa: Mr. Speaker, the minister has already had his day in court.

Hon. Mr. Wells: I just wanted to ask the member a question.

Mr. Germa: He made certain statements when he introduced the bill and those statements are going to come back to haunt him. This whole bill is going to come back to haunt the government. The chickens will come back to roost just like they roosted on Wacky Bennett's bedstead; and don't forget it.

And if the teachers organize to slit this government's throat, I will assist them. I will sharpen the razors for them—politically. And I suspect that is what is going to happen.

Mr. E. J. Bounsall (Windsor West): They sharpened them themselves.

Mr. Lewis: He has graphic metaphors; and he said politically.

Mr. Germa: Politically, Mr. Speaker. I am a non-violent man.

Mr. Drea: So am I.

Mr. Germa: Mr. Speaker, the bill is also offensive in that it imputes certain motives. The minister was on his feet, and he described what he was talking about when he said that these teachers, by submitting their resignations in the manner and the form which they did. He made reference to an OTF letter which was sent out to each teacher, which instructed them in what fashion they were to submit their resignations and at a certain point in time to comply with the contract, these resignations would be submitted en masse. He finds something offensive about people collaborating to protect themselves from a violent government. This government is more violent than any group of people I have ever seen on the street. One doesn't have to be a pirate in pirate's clothing with a sword at one's hip to be violent.

Mr. Cassidy: That's right.

Mr. Germa: One can be violent in legislation, and this is the most violent piece of legislation we've had—or the second most violent; the first one was in March when the government forced other people back to work. It is making slaves of various large groups of people in the Province of Ontario.

Mr. Lewis: That's right.

Mr. Germa: He also made reference to the practice of pink-listing, whereby the teaching profession, in one fashion or another, does try to protect itself. I don't know of any group of people in history, Mr. Speaker, which has not got together to oppose oppressive governments. I see nothing wrong with that whatsoever. If there is a teacher within reach of my voice I hope he or she will recognize that they have a perfect right to collaborate, to deal with one another and to approach their problem collectively and face this government together.

Regardless of what the minister said it is not a sinister act. It's one of the rights that we, as supposedly free citizens, are supposed to enjoy. There was a time in our history when farm workers digging potatoes were put in jail for collaborating to raise their wages. This is how far back this government is. It is back in the 18th century somewhere as far as negotiations are concerned.

The bill is also premature in that the schools today were all opened as far as I know. I don't know of any emergency situation until next Tuesday, and until Monday morning when this bill was introduced that wasn't even a problem. The minister is having a problem next Tuesday when all the schools in the province will be closed because of this legislation.

Mr. Cassidy: Every child out of school because of the minister.

Mr. Germa: He is something like Mayor Daly of Chicago who said the police were there to maintain disorder. This government is in the province to maintain disorder. It is doing that precisely by introducing such legislation.

Mr. Lewis: That's right. It is inciting disorder.

Mr. Germa: It is guaranteeing there is going to be disruption in the classrooms in the Province of Ontario.

Mr. Havrot: That's the pot calling the kettle black.

Mr. Germa: The minister has had every indication. This recent letter from the Ontario Teachers' Federation indicated to him that teachers who normally are quiet people —as far as I know teachers are not the rebellious type; they have respect for community, respect for property, respect for children, for family, respect for all those things we stand for. The minister has blackguarded them; he has blackened their name by saying the things he has about them.

Mr. Lewis: That's right. It's an attack on the teachers by the Minister of Education.

Hon. Mr. Wells: I have never attacked the teachers.

Mr. Lewis: Unprecedented in this province's history, that he should declare war on the profession.

Hon. Mr. Wells: I have never attacked the teachers.

Mr. Germa: Mr. Speaker, the opening statement the minister made—

Mr. Cassidy: His secret attack on the teachers is now out in the open.

Hon. Mr. Wells: The teachers don't believe that.

Mr. Lewis: We shall see what the teachers believe.

Mr. Germa: I think it would be worthwhile refreshing the minister's mind about what was said last Monday morning. I found it particularly offensive when he hid behind the children of the Province of Ontario as an excuse for introducing legislation which he knows is oppressive.

Mr. Lewis: That's right.

Mr. Germa: Every despotic government in history has hidden behind the skirts of women and children to hide their fiendish acts.

Mr. Lewis: That's right.

Mr. Germa: Go back in history—Attila the Hun did that.

Mr. Lewis: Don't refer to Attila the Hun in any comparison with this riff-raff.

Mr. Germa: I'd like to quote from Hansard, Mr. Speaker, page 6864, and the minister said:

I say today that I and we cannot allow pupils to be used as pawns in negotiations between teachers and school trustees around the bargaining table.

As if that wasn't enough, three times he went to these depths to justify his actions. He also said on page 6864:

I should stress that one of its most basic principles is that the welfare of children must be taken into consideration first and foremost.

And on the next page, Mr. Speaker, he went on to hide behind children again, when he said:

to ensure that pupils do not become innocent victims as a result of an impasse at the bargaining table.

And he started that all off, Mr. Speaker, by saying: "with all sincerity." Now, whenever he says "with all sincerity" then you have reason to doubt what is going to be said.

An hon. member: That's right.

Mr. Lewis: Why say it? Who doubts his sincerity?

Hon. Mr. Wells: It's the same kind of rhetoric that the leader of the NDP would use.

Mr. Germa: The member for Wellington-Dufferin got up, Mr. Speaker, and he quoted an article in a newspaper which indicated that the teachers were happy that this legislation had been brought in—that arbitration was going to be provided. He went on at great length to read this article.

I don't know how he can accept that; I'm sure he is getting the same telegrams that we are getting. I have 100 telegrams on my desk here from groups and individual teachers—

Mr. Lewis: Read them all.

Mr. Germa: —all from the city of Sudbury. It is not as though they came from all over the province.

An hon. member: Run them through a second time.

Mr. Lewis: Every one of them.

Mr. Germa: I don't intend to read them all, Mr. Speaker. I'll save you from that.

Mr. Lewis: That's a pity.

An hon. member: That's very encouraging.

Mr. Germa: But I have selected a few.

Mr. Lewis: Clause by clause.

Mr. Speaker: Well, I might say that I did permit the hon. member for York South, I believe, to read numerous telegrams. It is perfectly in order to read a few of them as an example; I'm not going to attempt—

Mr. Lewis: Sure, as a cross-section.

Mr. Speaker: —prevent the hon. member from reading a few of them, but not to read them all.

Interjections by hon. members.

Mr. Germa: I respect your judgement, Mr. Speaker—

Mr. Lewis: We would not challenge your ruling.

An hon. member: Only the member for Carleton East (Mr. Lawrence).

Mr. Germa: I have selected only those which I think carry the message most clearly.

Mr. Speaker, I get the distinct impression that the teachers in the city of Sudbury are offended, because these people went out and spent their own money and went to considerable effort to compose their telegrams. They expect that this message is going to be brought to this assembly, even though I know they suspect that it isn't going to do any good and I know that our continued debate here is exasperating the minister. But I think we have to do it, Mr. Speaker, to provide a cross-section of what is happening across this province.

All of these telegrams are addressed to myself at Queen's Park, and it was intimated today by one of the government members that this discontent by the teachers had been caused by my leader—that he is out on the telephone phoning teachers telling them to come in here and parade on the steps.

Interjections by hon. members.

Mr. R. F. Nixon (Leader of the Opposition): He is paying for all the telegrams himself.

Interjections by hon. members.

Mr. Germa: I will assure you, Mr. Speaker—

Mr. Lewis: What was that? I want to get that on the record.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): He jumps in front of every mob—

Mr. Lewis: Okay, all right. But just so long as the teachers know the Treasurer refers to them as a mob. He, the provincial Treasurer—

Hon. Mr. White: I didn't—

Mr. Lewis: He is bloody right that's what he is doing and I want it on the record.

Interjections by hon. members.

Mr. Lewis: Sure, anybody who objects to the government's legislation is categorized as a mob.

Interjections by hon. members.

Mr. Lewis: Right. The government's systematically alienating every group in Ontario one after the other.

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Lewis: Mr. Speaker, thank you for the opportunity for the point of order.

Mr. Cassidy: Just on a point of order, could the Minister of Education repeat his comment about myself. I couldn't hear?

Interjections by hon. members.

Mr. Havrot: Who incited the mob?

Mr. Lewis: What mob? What mob?

Mr. Germa: Mr. Speaker, if there is any mob in this House, the mob I see is across the floor—all those trained seals who start whacking their benches with completely no thought of what is going on in this world. I would like to—

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Lewis: On a point of personal privilege, Mr. Speaker, I was not outside the House addressing a mob—

Interjection by an hon. member.

Mr. Lewis: I was nowhere addressing a mob. I want the members to understand something. I was—

Interjection by an hon. member.

Mr. Lewis: No, I'm on a point of privilege and I want to put it. I want the member from Timiskaming to listen to it. And then if he wants to get up, he can and enter this debate.

Mr. Havrot: All right.

Mr. Lewis: He has an opportunity. I was on the steps of the Legislature addressing 1,500 to 2,000 teachers who had assembled because they object to the injustice of this legislation. They were orderly, they were thoughtful in their submission and they were obviously angry about this government

—and don't demean them by calling them a mob.

Mr. Havrot: I wasn't demeaning them; I was demeaning the leader of the NDP.

Hon. Mr. White: The member for Scarborough West is the worst mischief-maker in this province.

Mr. Lewis: A mischief-maker—the Treasurer is antediluvian.

Mr. Speaker: Order. The hon. member for Sudbury has the floor.

Interjections by hon. members.

Mr. Speaker: The hon. member for Sudbury will continue. Order, please.

Mr. Germa: Mr. Speaker, if I could continue.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Germa: Mr. Speaker, I can corroborate my leader's statement. I was on the front steps and I can assure the members—

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Germa: And I can assure the members he did not incite these assembled people. He spoke to them in quite a reasonable fashion, which is more than I can say for the minister concerned. The minister didn't appear on the scene.

Mr. Lewis: I will never save the minister's skin again.

Interjections by hon. members.

Mr. Germa: I also had the privilege of—

Mr. Speaker: Order. It is not quite close enough to 6 o'clock or I would recess.

Mr. Germa: I also had the privilege of witnessing the scene in front of the chamber, Mr. Speaker, when the minister was in complete terror that something was going to happen to him when a couple of hundred school teachers were asking him certain embarrassing questions.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Wells: On a point of personal privilege, I was not in complete terror and I was not saved by the leader of the New Democratic Party. I was never in terror. I was discussing the situation in a very calm manner with the teachers out in front here. They never mobbed me. They never pushed me against the wall. I never felt threatened—

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Wells: I just want to say I never felt threatened and I was not saved by the hon. leader of the NDP.

Interjections by hon. members.

Mr. Speaker: Order.

An hon. member: Someone must be out of order.

Mr. Germa: I was standing not three ft away from him and he didn't see me or my leader attempt to save him. I have been in these situations and the minister is an amateur as far as dealing with people are concerned. When people have you pressed to the wall—

Mr. Lewis: It wasn't the minister's physical presence we were saving; it was his intellect.

Hon. Mr. Wells: Mr. Speaker, the impression is given—and I must say I agree with my hon. friend—it was not a mob out there, it was a group of teachers. Now if they had been a mob, they would have attempted to perhaps push me against the wall or inflict some physical harm. They were operating in a very respectable manner and they were not pushing me. It was not in any—

Interjections by hon. members.

Mr. Speaker: Order, please. Order.

Hon. Mr. Wells: I just want to have that very clearly stated in this House—and I was doing nothing to incite them. I was discussing the situation with them in a very orderly manner.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Germa: Mr. Speaker, I am attempting to put on the record the feelings of some of the teachers and groups from the city of Sudbury. All of these telegrams that I have in my hand are selected from a package of approximately 100. I have maybe eight or nine here and I think they represent an overall feeling of what's going on.

Mr. Speaker: Will the hon. member go for five or six?

Mr. Germa: I beg your pardon, Mr. Speaker?

Mr. Speaker: Will the hon. member go for five or six instead of eight or nine?

Mr. Germa: I will settle for eight. The first telegram, Mr. Speaker, says:

KILL BILL 274

And it is signed by five teachers from the city of Sudbury. I won't give their names, for obvious reasons.

Another one, Mr. Speaker, says:

PENDING LEGISLATION BILL 274 INTRODUCED BY THE HON. THOMAS WELLS, MINISTER OF EDUCATION, VIOLATES THE TEACHERS' RIGHTS FOR FREE COLLECTIVE BARGAINING. WE IN SUDBURY DIVISION BELIEVE THAT THIS LEGISLATION SHOULD NOT BE RUSHED INTO LAW UNTIL THE PUBLIC HAS HAD A CHANCE TO DEBATE IT AND OTHER INPUT IS FELT.

Now, this same demand has been made by numerous members on the floor of the House; and this is signed by the president of the Sudbury division, OSSEF. I don't know how many members he has in his division, but I assume it's a great number. The third telegram, Mr. Speaker:

THE FOLLOWING MOTION WAS PASSED LAST NIGHT AT PROVINCIAL EXECUTIVE MEETING OF THE ONTARIO ENGLISH CLASS TEACHERS' ASSOCIATION. WHEREAS THE MINISTRY OF EDUCATION AMENDMENT ACT 1973, NUMBER 2, CLEARLY SHOWS THAT JUSTICE AND LAW ARE NOT SYNONYMOUS, AND WHEREAS THIS AMENDMENT IS REPRESSIVE LEGISLATION AND IS THE ANTITHESIS OF THE RULE OF LAW AND IS IN ITSELF AN ACT OF VIOLENCE, BE IT RESOLVED THAT THE PROVINCIAL EXECUTIVE OF THE OECTA DOES NOT FEEL MORALLY BOUND BY THE PROVISIONS OF THIS AMENDMENT.

This is a statement of defiance of the law, so I can expect that the government is going to have trouble, Mr. Speaker, and I don't blame them. I have another telegram, Mr. Speaker:

PENDING LEGISLATION, BILL 274, INTRODUCED BY HON. THOMAS WELLS, MINISTER OF EDUCATION, VIOLATES THE TEACHERS' RIGHTS FOR FREE COLLECTIVE BARGAINING. WE IN DISTRICT 31 BELIEVE THAT THIS LEGISLATION SHOULD BE NOT RUSHED INTO LAW UNTIL THE PUBLIC HAS HAD A CHANCE TO DEBATE IT AND OTHER INPUT IS FELT—PRESIDENT, DISTRICT 31, OSSTF.

And here is another:

THE SUDBURY WOMEN TEACHERS' ASSOCIATION PROTEST THE REPRESSIVE LEGISLATION DENYING TEACHERS THE RIGHT TO MASS RESIGNATION. IT IS A VIOLATION OF OUR CIVIL LIBERTIES—PRESIDENT, SUDBURY WOMEN TEACHERS' ASSOCIATION.

Mr. Speaker: Is that No. 5?

Mr. J. P. MacBeth (York West): They are all the same. I don't know how you can tell the difference.

Mr. Germa: It is No. 6, Mr. Speaker. I am coming up to some personal ones, but I want the House to know that not only is this objection by the teachers being raised through their organized groups, individual teachers on their own are becoming opposed to it. I think the government should know that there is a spontaneous reaction in opposition to this legislation.

Mr. Lewis: Surely they will withdraw it.

Mr. Germa: Surely they will.

Mr. Lewis: They will withdraw it on Monday.

Mr. Germa: Then there is this one:

THE STAFF OF MACLEOD PUBLIC SCHOOL IS CONCERNED AND STRONGLY PROTESTS THE REPRESSIVE LEGISLATION DENYING TEACHERS A DEMOCRATIC RIGHT TO RESIGN FROM THEIR PROFESSIONAL DUTIES EN MASSE.

That is signed by about two dozen school teachers.

UNDERSIGNED TEACHERS, MACDONALD-CARTIER SECONDARY SCHOOL, GREATLY DISTURBED BY PROPOSED BILL 274, WISH TO PROTEST STRONGLY AGAINST SUCH OUTRAGEOUS MEASURES.

There are others:

I AS A TEACHER OPPOSE REPRESSIVE LEGISLATION DENYING TEACHERS THE RIGHT TO MASS RESIGNATION AND ENFORCEMENT OF COMPULSORY ARBITRATION.

And I don't blame them.

AS A CITIZEN OF ONTARIO I STRONGLY PROTEST ANY LEGISLATION WHICH COULD PREVENT ANY INDIVIDUAL FROM RESIGNING HIS DUTIES WHEN AND IF HE CHOOSES.

Mr. Speaker: I think the hon. member has made his point now with the reading of telegrams. That should be sufficient.

Mr. Havrot: Amen!

Mr. Germa: I hope, Mr. Speaker, that you have the flavour of the feeling of the groups and individual teachers in my municipality. I won't read any more, even though I think we should; because these people are concerned and they want the record to show that these objections were received.

Mr. Bounsall: Give them another 10.

Mr. Germa: My city is particularly involved in that the Sudbury District Roman Catholic Separate School Board is one of

the 16 boards whose teachers have not been able to come to terms with their particular school board. We have heard from those people who are expert in the field, not only from this caucus but from the other caucus, that the overriding problem in meeting teachers' demands is the expenditures on education, which have been frozen at a level which apparently cannot meet the expenditures necessary to carry on the conduct of these schools.

I won't go into that because I think it has been explained quite clearly by my friend from Sudbury East, and I think it would serve no purpose in repeating.

I think it is probably wise to mention at this point just what this bill has done. It has been a great educational exercise for the teaching profession. At long last they must realize just what kind of government they are dealing with. They must realize also the only power that this government will recognize is some greater power. It's a complete power struggle and in a power struggle such as this it's not always the nice guy who wins the struggle. I think the teachers are going to have to change their tactics from being the nice guys they have been in the past. They have put up with a lot as far as I am concerned. They should know that a group of people which does not think enough of its profession to stand and protest it will not have that profession very long.

It is an old saying that those who get whipped easiest get whipped oftenest, and I think this is true. I think they should understand that they are not going to stand for this whipping and that they only learn to fight by fighting. They have to become more militant.

I think it has also taught us what the Liberal Party thinks about organized labour when two of its members in a row got up and were quite alarmed that this bill might force the teachers into such a militant stance that they might call up the AF of L and ask it to come in and organize them. They were in terror that such a thing could happen.

If the teachers see fit to call in an organized trade union for assistance and help in their activities I see nothing wrong with that. If this is one of the things we have learned from this confrontation, it is one of the fringe benefits because they have not had the experience of confronting insensitive employers to the same degree that the trade union movement has.

Mr. Speaker, if I were a teacher in the Province of Ontario and I were to say a prayer every morning I would add a second line to the prayer my colleague from Nickel Belt raised this morning. He said: "May the sewers of Scarborough back into your breakfast." I would say, "May the fleas of 10,000 camels infest your armpits."

Mr. Speaker: The hon. member for Don Mills.

Mr. D. R. Timbrell (Don Mills): Mr. Speaker, my comments will be brief.

Mr. R. F. Nixon: The next Minister of Education.

Mr. Timbrell: Those who know me know I am not given to long speeches. I feel that usually an hour-long speech has about 50 minutes of padding in it.

Mr. R. F. Nixon: I don't remember hearing the member this year.

Mr. Timbrell: I sat through several days of questions and debate on Bill 274.

Mr. Lewis: This is his maiden speech.

Mr. Timbrell: No it is not, as a matter of fact. During this time there have arisen a number of statements, not all of them clearly spelled out, on which I'd like to comment, not only as a member of the House but as a teacher. Members will excuse me if I don't comment on the difficulties, so painfully made evident this week, of the official opposition. I can only mourn the demise of a once great party.

Mr. Gaunt: The member should look after his problems. We'll look after ours.

Mr. Sargent: We'll be all right.

Mr. Timbrell: I remember the story of a politician of the 19th century. Mr. Speaker, this gentleman, having harangued his audience at length for hours concluded by saying—

Mr. Gaunt: We'll look after our problems. The member can look after his.

Mr. Sargent: Is he for or against them?

Mr. Timbrell: —he said: "Mr. Chairman, those are my principles. If by chance you don't happen to like them I have others." That happens to be the official opposition of this province today.

Mr. Lewis: That was Disraeli; he's not to be trusted—he was a Tory.

Mr. R. F. Ruston (Essex-Kent): It had better be that way.

Mr. Timbrell: My background as a teacher—

Mr. Ruston: He had principles too.

Mr. E. R. Good (Waterloo North): Did he ever challenge the Speaker's ruling?

Mr. Timbrell: —and elected representative at the municipal and provincial levels of government give me a perspective that perhaps some other members may not share. It is from this vantage point that I'd like to make some observations. First I'd like to say—

Mr. Cassidy: The member is bucking for Minister of Education.

Mr. Timbrell: —as a teacher, how sad it makes me to see news reports the like of which we have seen in the last few days.

Mr. Ruston: The government changed its mind on the Spadina Expressway.

Mr. Timbrell: Yesterday, the Toronto Sun referred to what it called a teachers' invasion of Queen's Park.

Mr. Lewis: The member's colleagues referred to it that way.

Mr. J. H. Jessiman (Fort William): Why doesn't the member opposite be quiet?

Mr. Timbrell: The Globe and Mail brandished pictures of confrontations with the minister.

Mr. Lewis: Why?

Mr. Jessiman: Listen and learn.

Mr. Timbrell: The Toronto Star warned of a province-wide shutdown of our schools.

I must tell the House that the shocking reports do not fairly represent the tactics of by far the vast majority of the teachers in this province. While the federations have, I suggest to the House, perhaps overreacted—

Mr. Ruston: The government overreacted.

Mr. Timbrell: —the teachers of Ontario want some assurance that they are not being degraded by this bill. I am confident that they are not.

Mr. Sargent: Why doesn't the member read the bill?

Mr. Timbrell: The taxpayers of this province are equally concerned about what they see happening to the teaching profession. Today as never before, the Ontario taxpayer is questioning the educational process. He is, as the economist might say, applying a cost-benefit analysis to programmes, and education is high on his list of things to assess.

One has to ask oneself, do the people really want to feel this way? They wish, I think, sincerely to be on the side of education, because in it and in its teachers, as its instruments of knowledge, growth and understanding, they look for the key to a better and more fulfilling life for the future.

I can understand how the negotiations in the 16 boards of education, about which we are presently concerned, have reached the precipice. Let it be clearly understood that no responsible teacher in the Province of Ontario wants willingly to close his school or all those of an entire board.

Up until now he has been frustrated by the knowledge that mass resignations were the only club of any significance available to him. But let us also make it abundantly clear that these are no normal resignations. It is clearly expected that ultimately the documents will never be accepted.

Mr. Lewis: Right.

Mr. Timbrell: The federations reinforce this security by various means whereby they effectively discourage anyone from seeking the position of any other individual who has submitted his resignation as part of an organized demonstration of solidarity.

Mr. Lewis: Right, so they should.

Mr. Timbrell: It is not difficult for me to appreciate the reasons for the action being taken by my colleague the Minister of Education. In determining whether binding arbitration is an acceptable alternative to the closing of schools, one must ask oneself whether one believes that the operations of schools are an essential service. If one answers that question in the affirmative—as I do as a teacher—one must support the bill to keep the schools open.

Mrs. M. Campbell (St. George): The minister does not agree with the member.

Mr. Cassidy: Every day?

Mr. Timbrell: If one cannot accept that the schools are an essential service—and I grant and I recognize among colleagues in the profession and colleagues in this House that there are those who cannot accept that—

Mr. Lewis: We accept that.

Mr. Timbrell: —then one must agree with the hon. members to my right—geographically at least—

Mr. Lewis: No, no, no.

Mr. Timbrell: —that teachers should have the right to strike—

Mr. Lewis: Right.

Mr. Timbrell: —and be prepared to see the schools closed for who knows how long.

Mr. Lewis: A few days, a few weeks.

Mr. Drea: A few months.

Mr. Timbrell: Just on that point let me tell the House of a conversation I had on Tuesday with a gentleman, who, as I used to, teaches at one of the schools in the borough of North York. He said, and I quote: "But a few days won't hurt the students."

Mr. Lewis: Right.

Mr. Timbrell: My concern for the well-being of the students, particularly those who are gifted or slow learners, will not allow me in all good conscience to gamble that a strike wouldn't last for weeks or months.

Mr. Lewis: Oh, come on. What a red herring.

Mr. Timbrell: The stakes are too high and this is a gamble this government is not prepared to risk. The present situation serves no one.

Mr. Lewis: The member thinks a lot of his teacher colleagues.

Mr. Timbrell: Even if the schools did actually close in some districts, who would gain?

Mr. Lewis: They did in Windsor, they did in Timmins.

Mr. Timbrell: No one; neither teachers, students, nor parents. Mr. Speaker, to my mind the only alternative is binding arbitration, and that only after exhaustive negotiations.

Mr. Lewis: Right.

Mr. Timbrell: In the case of every one of the 16 boards affected by this bill—the 17th having settled in the riding of my hon. friend from Thunder Bay—there have indeed been carried on very thorough and protracted negotiations since last spring.

Mr. Lewis: That is the way it works.

Mr. Timbrell: The minister several weeks ago made available the services of mediators. Some of the boards have made use of that offer.

It has been said that Bill 274 removes the right of an individual to resign from a position he no longer wishes to hold. I think it would be helpful for the minister once again to give this House his ironclad assurance that no teacher who sincerely wishes to vacate his position will be arbitrarily held back from doing so. The accusations made by some hon. members that the civil liberties of teachers in these 16 areas have been infringed upon, have no basis in fact.

Mr. Lewis: Then the member wouldn't ask for another affirmation.

Mr. Timbrell: Routine resignations must and will be accepted. If, by August of next year, anyone who has part of the mass resignation then decides he no longer wishes to teach for his or her board, that person is free to submit a resignation in the normal fashion.

I would only hope that any of those who have submitted form-letter resignations at this time, and who sincerely wish to leave their jobs to seek or to accept other positions of employment, will not be denied this right. They must not be denied this right.

Mr. Cassidy: That is hypocritical double-talk.

Mr. Lawlor: There's nothing in the legislation.

Mr. Timbrell: Several days ago, one of the leaders of one of the teachers' federations apparently said that because he disagreed with Bill 274 he felt no compulsion to obey it. In the same breath he had pleaded for democracy. When I wrote these notes late last night and early this morning, I wrote a line saying, "Surely this gentleman has been misquoted."

Mr. Cassidy: Hasn't it struck the member that this bill is an abuse of democracy?

Mr. Timbrell: Then today, like most members of the House, Mr. Speaker, I have received a telegram which has been quoted many times, but I have to quote the last line and a half:

THE PROVINCIAL EXECUTIVE OF OETCA DOES NOT FEEL MORALLY BOUND BY THE PROVISIONS OF THIS AMENDMENT.

Mr. Speaker, unlike the leader of the third party, I don't applaud this. I think it's a sad day for that federation. I think it's a sad day for this system. When it comes to this, that

people will openly recommend disobedience of the law.

Mr. Lewis: When the government takes away the people's rights, they resist and so they should.

Mr. Timbrell: It's this sort of thing that the taxpayer cannot accept, let alone understand. Some hon. members have suggested that it would have been preferable to bring the House back in January rather than introduce Bill 274 at this time.

Mr. Cassidy: It would have cost the government a lot less money.

Mr. Timbrell: To have done that would have been to leave a cloud hanging over the negotiations in these 16 areas. The government had to make it abundantly clear that the schools would not be allowed to close; that an alternative method of solving these disputes would be provided; and that the rights of individual teachers who sincerely wished to give up their positions would not be denied.

Mr. Speaker, this is no time for reckless brinkmanship. The welfare of the students of Ontario, the future of the teaching profession and the credibility of our system of education are at stake.

Mr. Lewis: That's right.

Mr. Timbrell: The rhetoric and hopes of the opposition for confrontation are not in the best interest of the people of the Province of Ontario.

Interjections by hon. members.

Mr. Lewis: Who is creating the confrontation?

Mr. Timbrell: If they would take the time to listen to those who put them here, they would know this to be true.

Mr. Lewis: There was no confrontation a week ago. The member knows that.

Mr. Timbrell: At the next session we will deal with Bill 275, the big bill as some refer to it, as opposed to a mini-bill, which is proposed to cover all future teacher-school board negotiations. Let us not lose sight of the overwhelming significance of that legislation, in the process of the passing of which, all interested parties will be involved.

If the current situation is allowed to fester and all our energies are diverted to reacting to needless confrontation, how much more difficult it will be to achieve a reasoned consensus on the provisions of Bill 275, which I think represents a reasonable saw off between the divergent points of view of the teachers and the trustees on the future of the teaching profession in this province.

Mr. Lewis: That bill is as bad as this one.

Mr. Timbrell: The Leader of the Opposition has said that binding arbitration under the terms of Bill 274 is unworkable. This will be true only if one of the parties to the negotiations decides that it will not work. The teachers of this province seek only to continually better our system of education. We must see to it that the system of negotiations not only maintains their rights but also ensures that the supporters of the system, the taxpayers of Ontario, will not have to choose between the welfare of their children and the goals and aspirations of those in the system.

Mr. Lewis: That's for the government to decide.

Mr. H. C. Parrott (Oxford): That is a pretty tough act to follow.

Mr. Lewis: He will hake a good Minister of Education. That is where he is headed. He's an excellent sophist. The House needs more sophists.

Hon. Mr. Wells: The member doesn't know how much he should thank me.

Mr. Lewis: Can the minister tell us now?

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. Sargent: Mr. Speaker, at the outset, I must confess—

Interjections by hon. members.

Mr. Speaker: The hon. member for Grey-Bruce has the floor.

Mr. Sargent: No, he has it. The minister has the floor there.

Mr. Speaker: No, the hon. member for Grey-Bruce has the floor!

Mr. Sargent: Thank you.

Mr. R. F. Nixon: He's got to be right.

Mrs. Campbell: Appeal his ruling!

Interjections by hon. members.

Mr. Speaker: The interjections are out of order!

Interjections by hon. members.

Mr. Sargent: I must confess, Mr. Speaker, that I lack the normal qualifications to speak on what has been put forth so knowledgeably here today, on this subject.

Mr. Drea: But he'll speak anyway.

Mr. Sargent: —I think I'm kind of an itinerant average guy like the old camp follower, as the saying goes, I've been around, so I can look objectively at this thing.

My observation in this whole matter, Mr. Speaker, is that after all of the logic put forth by all the speakers in the opposition, in any other area of operation the minister would withdraw the bill—but he won't because it is not part of his game plan.

Mr. Drea: Sargent the statesman—he has to read a speech because he doesn't believe in his party.

Mr. R. F. Nixon: The member is doing very well.

Mr. Sargent: The motivation, or the reason for being, of this whole piece is money. The minister has brought in the word "ceilings," or he says it is a lack of money to perform in the style to which we have become accustomed.

Now, the ceilings are imposed under a cabinet order-in-council and, thus, our existing regulations. School boards can increase their total spending by about eight per cent this year. On average, about two-thirds of their budgets are for teachers' salaries. The minister has consistently maintained that both boards and teachers can live within their ceilings, and his limits on the arbitrators demonstrate this view.

Well, in this province the motivation is money, and I'd like to paint a picture of what the government is trying to do, as I see it today. We have this monstrous debt in the whole structure, and it was the Premier, through his school consolidation programme, at a cost of perhaps $500 million to $1 billion—no one knows how much—who set the stage for this.

Mr. R. F. Nixon: That's right—along with OISE.

Mr. Drea: The member for Grey-Bruce is a classic.

Mr. Sargent: OISE—the whole picture. We have to live with it, so we'll leave that there.

But, in the final analysis, the Premier is the architect.

Let's look at the cause. In this province today, Mr. Speaker, we have a debt of about $8 billion, the interest upon which is $1.25 million per day, every day of our lives—and it'll be $2 million per day by the end of the year. On top of that we have a new debt created and committed for us of $3.5 billion for nuclear power, $1.5 billion for rapid transit and $1 billion for a land acquisition programme.

Mr. R. G. Hodgson: The member's leader suggested we should take the ceilings off.

Mr. Sargent: Then we have the shocking situation—and this is the key to my speech right here—on top of these commitments totalling $8 billion, the Treasurer (Mr. White) has the audacity to say that there was $350 million he overlooked for land acquisition.

I am saying to you, Mr. Speaker, that while he can forget about $350 million in a land acquisition budget for the parkway belt and the escarpment, he cannot honour our responsibilities for education and is talking about a ceiling for education. That is simply ridiculous.

Mr. Drea: Is the member going to take them off?

Mr. Sargent: May I get to this point? Try to understand this, please.

Mr. Drea: Are the Liberals going to remove the ceilings?

Mr. R. F. Nixon: Yes. We're going to leave it to the local boards. The boards then apply their own ceilings.

Mr. Sargent: Certainly we'll remove the ceilings. We'll give the autonomy back to the people.

Mr. R. F. Nixon: Why should the Minister of Education direct the expenditure of every board?

Mr. Drea: Finally, we got the Leader of the Opposition to say something.

Mr. R. F. Nixon: Finally, we got the member to listen.

Mr. Sargent: Mr. Speaker, this Premier surrounds himself with highly paid advisers at public expense; we are paying for Fleck, Macdonald, you name them. They're supposed to be the brightest brains in the province and to plan long-term, on going gut issues to orchestrate the people of this province into maintaining a Conservative regime

here for another 30 years. And we're paying for these people who have the visionary effect of this. They pick what they feel, Mr. Speaker, are gut issues and they play the game for the most votes.

An hon. member: We have to put up with them.

Mr. Sargent: They travel widely across North America to seminars on politics; to all conventions, at our expense, to find out how to win votes; to study the new technology in the political science of winning elections, and they do it very well.

Let's go back. We know of the jump that this government had on the federal government on the energy crisis. These were visionary ideas of the people who are advising the Premier. I'll give this government marks for it. That's the game.

Interjections by hon. members.

Mr. Sargent: Let's go back to the Spadina. The government spent $141 million to gain a few seats on Spadina. And now the government has what its people tells it now—

Interjections by hon. members.

Mr. Sargent: —is a gut issue; that education costs can be a thing that can set the teachers against the people. It is playing it very well. Well, I don't buy it.

Education costs are out of hand and the government needs a scapegoat so it has the teaching profession to go after. The minister knows what's going on. This is the game.

Mr. S. B. Handleman (Carleton): Nonsense.

Mr. Sargent: Mr. Speaker, these are a few observations of mine that we have this brains trust orchestrating a dangerous game when they start fooling around with the lives of our children and our teachers.

Teachers, in the main, are a dedicated group of people. The man in the street may not read clearly this wheeling and dealing of the government. In the long view, Mr. Speaker, I think that the Premier of this province will bring discredit to his office if he brings in this nefarious legislation.

Interjections by hon. members.

Mr. Speaker: The hon. member for Parkdale.

Mr. J. Dukszta (Parkdale): Mr. Speaker, I rise to speak against the bill because I am, in principle, against compulsory arbitration. I am also speaking because someone in the future might ask me if I raised my voice against this undemocratic bill, or if I stood up to be counted as opposing this cynical, self-serving, hypocritical and vicious bill. I'm speaking because I have to speak on behalf of the teachers because I'm obliged to defend the teachers and the students; because I'm compelled, for the sake of the future, to oppose the bill.

It is ironic that here we are talking about compulsory arbitration, talking about this misbegotten Act, when teachers never had the right to strike. The only right that they have ever had is the right to resign, and this was taken away from them by this vicious bill.

The way the minister is behaving undemocratically and in a totalitarian fashion. He might just as well be a minister with a government in Poland and not in democratic Ontario, and I didn't come to this country from Poland to be treated in the same undemocratic fashion.

An hon. member: Why did the member come over then?

Mr. Dukszta: One of the features that frightens me most of all is the governmental consistency. It is remarkable how consistent the government has been in its unprincipled behaviour; how consistent the government has been in its class orientation; how consistent the Conservative government has been in maintaining the class system, whether preserving the basic socio-economic relationships of our capitalistic society or organizing the delivery systems in health or in education.

There is little doubt that the government is not prepared to change the basic fact in health care delivery systems, that the quality of health care is a prerogative of the affluent. If you are poor and mentally ill, you get treated in a provincial psychiatric hospital, and if you are well off there is a panoply of services in private psychiatric practice at your disposal.

What is vocational streaming for the children of immigrants but a clear expression of the two-class system in education? If the majority of graduating physicians are children of middle-class families, what is that but a persistence of class system in universities and professions?

One law for the rich, and one for the poor. Protect your friends, the government says, and indeed it protects its friends. The government inspectors meekly wait outside the Inco gates in Sudbury, while if the hos-

pital workers protest at their unfair and inadequate wages, they are not allowed to strike and if teachers feel unjustly treated they are immediately and brutally ordered to work. In 18th century France the authoritarian royalist government was no more brutal in compelling people to do forced labour than is the minister, or should I say his highness.

Interjections by hon. members.

Mr. Dukszta: I found it very difficult to write this speech. To us in the NDP the issue seems quite straightforward. The solution is quite simple, but listening in this chamber to the voices across the way, it becomes clear that we are talking right past them.

Teachers in Ontario have always had a very good self image. In the Sixties, when teachers were in short supply and the ministry was sending recruiting teams to England and Australia, a great deal of lip service was given to the model of the teacher as a professional. Many members of the profession dreamed, wistfully as it turns out now, of the day that the teachers' federation could license its own members, control the standards of admission to its ranks, discipline its own delinquents.

It has become increasingly apparent, and never more clearly than on Monday, that this government does not regard the teacher as a professional, but as a blue-collar worker on an assembly line.

Consider the average teacher. He joined the profession because he saw himself doing a quality teaching job under working conditions that made it possible. The ceilings are imposed and suddenly the working conditions change. In industry they call it a speedup on the assembly line. Lesson No. 1.

Our average teacher knew when he joined the profession that he would have papers to mark, essays to judge, extracurricular activities to supervise. What he could not have anticipated was that the ceilings would cut down on the number of teachers sharing the same extracurricular duties. He couldn't have anticipated that he would suddenly be marking 20 per cent more than he used to, either. In industry they call it compulsory overtime, and here my analogy fails, because they get paid for it in industry. Lesson No. 2.

The teacher knew when he joined the profession that teachers were not allowed to strike, or to work to rule, or to have study sessions. But he saw himself as a professional and he knew that teachers had a form of negotiation which yielded "gentlemen's agreements," and no one needed to resort to union tactics. But suddenly, with the ceilings, he discovered that there is such a thing as a redundant teacher and in Metro especially, massive numbers of teachers were shunted about the system like empty boxcars in a freight yard. In industry they are familiar with this scene; they call it layoffs. Lesson No. 3.

No need to tell you what lesson No. 4 is, Mr. Speaker. With the imposition of compulsory arbitration, it is going to be very hard to find a teacher in this province who is unwilling to deny that the government no longer thinks of him as a professional, but as a blue-collar worker.

Mr. Laughren: Or an object.

Mr. Dukszta: Small wonder that they are considering on Tuesday—horror of horrors—a wildcat strike.

Capitalists and the capitalist reactionary Ontario Conservative government know what the class system is all about and the Conservative government knows on which side it is.

The workers, too, are beginning to know the reality of what class system really means and how it differentiates between those who are in power and those who have no power. It is a delusion for most workers, for most people in our society, for most teachers, to think of themselves as acting instead of being acted upon. Who supports the teachers? Labour unions are actively supporting the teachers. The workers are supporting the teachers. This shows where the teachers' friends are.

On the other hand, in its bill the government exposes what it thinks of most teachers. The government sees the teachers as it sees hospital workers and other workers. Ironically, by showing its hard face, the government has pointed out to the teachers that they are workers, and also pointed out to them what collective action means and how essential collective action is.

It is only in collective action that our preciously won liberties are protected, and the right to resign in protest is a basic right. This applies to me as an MPP and as a physician. It applies equally to hospital workers and to teachers. The right to withdraw our services and the right to strike is a basic human right for which I fight and for which I shall always fight. Teachers, like other workers, have a right to strike.

I accuse this government of violating our basic rights, by being basically reactionary,

basically unfeeling, basically brutal and violent, and almost totally totalitarian.

An hon. member: Certainly undemocratic.

Mr. Speaker: The hon. member for York Centre.

Mr. Deacon: Mr. Speaker, it was 15 years ago that I first met the present Minister of Education when he was riding the train in from Agincourt. He and some others in the Scarborough community who had been concerned and were concerned with the problems of the exploding population of that area were wrestling with the real problems a community like that faced. He was one who sought election and was elected to the board and served it well.

It was a board that probably accomplished as much as any board in similar circumstances ever accomplished in this province. It had a rather interesting record, in that when a comparison in the early Sixties was made by the Bureau of Municipal Research of the quality of education and the cost of education in the 13 boroughs of Toronto, it showed that although Scarborough rated last and actually lowest in cost per pupil, it rated second best to Forest Hill, which was first in both cost and quality. It was proof that money is not the secret of quality in education but it is the involvement of people—teachers, parents, students—that produces quality.

I certainly applauded that board for its conscientious approach and sincere concern and the hard work and they and the teachers, the principals, the whole range of the people in that educational board and area showed in giving the students in that area a good quality of education at lowest cost. It was a real professional situation where you had human involvement, and that is what brought the good results.

But this Minister of Education has been caught in the Davis trap.

Mr. Sargent: Right.

Mr. Deacon: He has been caught in the Davis trap that was built during the Sixties. There was the spending machine which produced grand buildings on the basis that nothing was too good for our kids. There was a big structure and administration, on the basis that really the only way to get quality was to impose a structure that would direct how people would teach, direct what would be done and how buildings would be maintained. The whole obsession was with administration and buildings.

Gradually, that quality in education disappeared—the quality that comes from the involvement, from the interest, from the commitments of people; student to teacher to parent.

Hon. Mr. White: We've never had better education than we have right now.

Hon. Mr. A. Grossman (Minister of Revenue): The member isn't saying much for teachers.

Mr. Deacon: There is no question in my mind that although we have seen a skyrocketing cost in education, there has actually been no improvement—absolutely none—in the quality of education in this province.

Hon. Mr. Grossman: That's an insult to the teachers.

Interjections by hon. members.

Mr. Deacon: There have been more students turned off and more teachers turned off by this administrative bureaucracy that's been imposed by the Premier's machine—

Mr. Sargent: Right. Why doesn't the minister resign?

Mr. Deacon: —so that there is no question the problem we are facing today, the problem that caused this legislation—and I hate to even grace this bill with the name of legislation—has been due to the fact that this ministry has thought about dollars and forgotten about people.

Hon. Mr. White: Time's up, check that time.

Mr. Deacon: By gosh, I'll never get over the way this guy White—I'm sorry, the Treasurer—can distract me at a time—

It being 6 o'clock, p.m., the House took recess.

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No. 171



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Thursday, December 13, 1973

Evening Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

MINISTRY OF EDUCATION ACT
(*continued*)

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, at the time I was stopped by the clock at 6 o'clock, I was mentioning the fact that during the last 15 years as the Premier's (Mr. Davis) political stepladder built up a huge spending machine in Ontario and concentrated on the building of fancy buildings and the building of a big bureaucracy, costs ran out of line.

Mr. P. D. Lawlor (Lakeshore): I came into the House tonight and found the House loaded with Tories, just jumping out of their seats. Incredible!

Mr. Deacon: It shows how greatly concerned they are about—

Interjection by an hon. member.

Mr. Deacon: They are having dinner?

Mr. S. Lewis (Scarborough West): What more does the member want? This is a postprandial observation.

Mr. Deacon: I think we have a lot of professional people here tonight, the teachers from Ontario county and other parts, and perhaps they will be taking due note of the concern the Tories have for this type of legislation.

Mr. Lewis: A lot of supporters.

Mr. R. F. Nixon (Leader of the Opposition): The Minister of Education (Mr. Wells) is here and the member for Brantford (Mr. Beckett).

Mr. Lewis: And the anti-labour member for Timiskaming.

Mr. E. M. Havrot (Timiskaming): Thank you. The member for Scarborough West never worked a day in his life.

Mr. Deacon: But the sad thing is—

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Whatever it is—

Mr. Lawlor: Backwards as it is, he has some sense of responsibility.

Mr. Speaker: The hon. member for York Centre has the floor.

Mr. Lewis: He is yielding it rapidly.

Mr. Speaker: He has not yielded it to any other member.

Mr. Deacon: Mr. Speaker, the point I want to bring to the attention of the House is the fact that with all these soaring costs we have not seen an improvement in education because at the same time there has been a continual removal of the personal role, the professionalism in the teaching profession, because of this big bureaucracy, this concentration on the visible elements in education to the neglect of the personal elements.

It has been well evidenced, Mr. Speaker. For example, in downtown Toronto on Shuter St. there is a school called the Park Street School. The Park Street School is in an area where a lot of the students are not from homes that have a great advantage. They are students who in many cases need special education. The Toronto Board of Education has put experts into that area to help the youngsters whom it feels need extra assistance. The average cost of special education in that school has been around $1,400 per student. But the parents in that area of Toronto became so upset by the lack of response and by the lack of progress made by their youngsters that they obtained support from the Varsity Fund to start what was called Laneway School. Laneway School wasn't located in that fine building where the Park Street School is. It was located in the basement of Dixon Hall.

Mr. Speaker, you will see, after the results of Laneway School are examined for the past several years, even though it was in four bare walls, even though it didn't have the advantage of highly trained experts, it offered the youngsters in that area the great advantage of concerned teachers, teachers who had a strong relationship with the

parents, who were able to see some response from the work and evidence of the achievements of the youngsters.

As a result, the results of the students attending Laneway have been far ahead of those in the much more costly, much fancier school with the real academic experts from the Ministry of Education that are available in Park Street School. The reason is the personal element that is possible in a school run by much closer contact between the parents and the teachers. We see the problems in costs—Park Street School about $1,400 per student; Laneway about $800. It isn't a matter of cost. It isn't a matter of ceilings or some structure imposed there. It is where the community has been given an opportunity to make its choices, and it has chosen well, to the advantage of the youngsters.

In rural Ontario, this government imposed its idea of what would be an equal opportunity of education. As a result it eliminated many small schools that could have continued to serve the areas well. Instead of those, it imposed upon the kids the requirement of travelling two to three hours or more a day on a bus, supposedly to give them a greater opportunity, but instead turning them completely off through this approach to what the educational structure was supposed to offer them. The effect of all this imposition of this government's ideas of what education is has been to remove the very important personal role and involvement of teachers in the education of youngsters.

It's the unimaginative, it's the unresponsive, it's the impersonal facade of this the Premier's spending machine that has caught up this Minister of Education, who normally is a very fair-minded individual. During the last year since he became a member of this government and involved in this area of education, he has become run by the machine instead of being a human himself.

Mr. R. F. Nixon: Where are they tonight by the way?

Mr. Lewis: They have eight members out of 76 here tonight so far.

Mr. M. Shulman (High Park): After the next election they will have fewer members.

Mr. R. F. Nixon: The Minister of Education, the House leader and the good old faithful member for Brantford are here and that's it.

Hon. Mr. Winkler: How many has the party opposite got?

Mr. R. F. Nixon: All those empty seats.

Mr. Deacon: Don't forget the hon. member for Simcoe East (Mr. G. E. Smith) and the hon. member for Welland (Mr. Morningstar).

Mr. Shulman: After the next election they will have 15.

Hon. Mr. Winkler: How many have the NDP got?

Mr. Lawlor: Proportionately, 50 times more than the Tories.

Mr. Lewis: It is a reflection of how they feel about the bill.

Interjections by hon. members.

Mr. Speaker: Order please. Order.

Mr. Deacon: Well, Mr. Speaker, the inevitable happened when this big spending machine got running. Like any uncontrolled spending machine, ceilings had to be imposed on the spending; and the only way this minister could see to control spending was to impose controls on the trustees themselves.

He did this by removing the autonomy, the discretion and the sense of responsibility that locally elected people should have to the education system and to the people in their community. As a result, a statement was made, similar to that made by the chairman of the negotiating committee in York county, John Honsberger. I have known John Honsberger for many years. He was on our high school board at a time when it really was a high school board, representing the lower part of York county that served the area of Richmond Hill and Thornhill. He has been one of the hardest working people, one of the most progressive people in education we have had in our area.

Mr. R. F. Nixon: A QC, I believe.

Hon. Mr. Winkler: What does that matter? I have an extra QC in my pocket.

Interjections by hon. members.

Mr. R. F. Nixon: I thought the Tories were impressed with QCs. They hand out enough of them.

Mr. E. Sargent (Grey-Bruce): A queer customer.

An hon. member: There is only one queer customer here.

Mr. Deacon: The Minister of Government Services (Mr. Snow).

An hon. member: That's right. We agree.

Mr. Deacon: The man is wasting so much energy in this building because he overheats the place.

Mr. R. F. Nixon: Go ahead, my friend is doing a great job.

Hon. Mr. Winkler: The only person who is overheated is the member.

Mr. R. F. Nixon: What did Mr. Honsberger say?

Mr. Deacon: Mr. Speaker, John Honsberger is a man who believes in responsibility of people who are elected to do a job in providing education. He is a man who I was pleased to see elected as a trustee in an area where my children attend school.

I am a parent of a child in the York county system, and I followed with considerable interest this summer the progress of negotiations between the teachers and the trustees in their attempt, by open negotiations, to come to an agreement.

Frankly, as I read the reports of the negotiations, I haven't been as impressed by the case being put forward by the teachers as I have with the trustees' case—but that is one man's impression. Certainly, time and time again one point comes up—the aggravation of ceilings, the aggravation of having that bureaucracy imposed on the whole administration of the York county system by this government.

Well do I remember in 1968 when, along with representatives of the board, I visited the then Ministry of Education in our efforts to leave York county, as it then was, with two boards instead of one. We knew that when we had a total amalgamation imposed upon us, it would remove much of the element that made the system so successful up until that time, the involvement of the community. The community was naturally knit together, it had common concerns, and it didn't have a big expensive administrative structure to run its affairs and to keep them well co-ordinated.

But no, the then minister, now the Premier of this province, said there would be no variation. It would be a county board regardless of how much sense that might make in York.

Mr. R. F. Nixon: It made no sense.

Mr. Deacon: It made no sense whatsoever and again imposed that impersonal, remote, machinery approach to education which this government has been so obsessed with—big structures, big administration, big bureaucracies. It removed the personal relationship so important to good education.

If the government, Mr. Speaker, looked at what is behind most people and their motivation to do a good job, it will find that first of all they want to have a sense of security. They want to know, Mr. Speaker, that if they are doing their job well they will continue to have employment. They want to know they will have an opportunity to expand their role as they become capable of assuming more responsibility.

They want to be able to have a sense of achievement in what they have done. In other words the relationship is one which is close enough to other people that they can feel a sense of accomplishment when their students do well. They want to know that if the students do well or they are doing a good teaching job they will get recognition.

The last thing that is important in their minds is money. It is only under conditions that recall and emphasize those priorities—

Hon. J. W. Snow (Minister of Government Services): Well-written.

Mr. Deacon: —security, opportunity, sense of achievement, recognition—only under those conditions do we really see the greatest human effort and contribution.

I don't know what the Minister of Government Services is so concerned about right now. Is it to do with education or is it to do with the overheated building?

Hon. Mr. Snow: If the member knew a little more about education he wouldn't care how overheated the building is.

Mr. J. R. Rhodes (Sault Ste. Marie): The member is a lot more overheated than the building is.

Mr. Deacon: I will tell the member I can get really overheated with this bill, I will tell him a lot of other people in this province are getting overheated with this bill.

Hon. Mr. Winkler: Quite right.

Mr. R. F. Nixon: The minister can't interject from that seat.

Mr. Sargent: He is in the wrong seat. Let him get into his own seat.

Hon. Mr. Winkler: So is the member. He should be in the back row.

Mr. Sargent: Like the minister?

Interjections by hon. members.

Mr. R. F. Nixon: Name him, Mr. Speaker.

Mr. Deacon: This government, as John Honsberger said, is making trustees into mere bookkeepers. It is failing to recognize the changes in our structure of education which have forced upon us the need for a new approach to teacher-trustee relationships.

What we have done is we have now transformed a major profession into a major union.

Mr. Speaker, modern leaders in the labour union decry strikes, decry work stoppages as a necessary adjunct to good labour negotiations.

Mr. Lewis: They always do.

Mr. Deacon: Under enlightened labour legislation that isn't necessary.

Mr. Lewis: That is right.

Mr. Deacon: There are many ingredients to legislation which can reduce the major causes of aggravation—unnecessary delays in negotiations, unsubstantiated claims, unsettled grievances.

Mr. E. W. Martel (Sudbury East): Who bought the mines?

Mr. Deacon: Today, in this case, handcuffed coercion, enslavement threats, the abrogation of agreements.

Hon. Mr. Snow: Who wrote that?

Hon. Mr. Winkler: He is reading very carefully now, I must say that.

Mr. Deacon: I can assure the hon. member for Halton East there doesn't need to be anybody else but myself writing these remarks because I really feel them strongly. He should be ashamed to be part of a government which brings in such legislation.

Interjections by hon. members.

Mr. R. F. Nixon: He should be ashamed for supporting this legislation. It's incredible.

Interjections by hon. members.

Mr. R. F. Nixon: The people in Durham will turn him out. Durham is the town where they will do it.

Mr. R. F. Ruston (Essex-Kent). They'll turf him out.

Mr. Sargent: He won't be here long.

Mr. Deacon: Frankly, I am ashamed to be siting here in this Legislature, which has even had a bill of this sort in front of it.

Interjections by hon. members.

Mr. R. F. Nixon: The House leader is at the end of the line.

Mr. Deacon: The government is breaking 100,000 contracts. No wonder the Tory seats are empty; the members don't want to be reminded of what they are doing.

Interjections by hon. members.

Hon. Mr. Winkler: This is the second time we are hearing about it.

Mr. Lewis: Does the minister forget what happened on first reading?

Mrs. M. Campbell (St. George): He doesn't like any opposition. I think he is right, too.

Mr. Deacon: Mr. Speaker, the government is just hearing the beginning of the arguments about this.

Mr. Speaker: Order, please. Order!

Mr. R. F. Nixon: That is what Ross Whicher said.

Mrs. Campbell: Don't be so fussed.

Mr. Deacon: Mr. Speaker, as I have said before, I'm a parent. I have a son attending one of the schools in York county; if the choice is between my son and his fellow students being deprived of school for a period; if the choice is between that and their being in classrooms manned by teachers who have been enslaved by this legislation, who have been forced there by an arbitrary, unwarranted breach of their contracts, my son is better at home.

Mrs. Campbell: That's right.

Hon. Mr. Winkler: Why did the member send his son to a private school?

Mr. Deacon: Does the minister think I sent him to a private school?

Mr. Speaker: Order.

Mr. Deacon: My son is at Thornlea Secondary School and I'm proud he's there.

Mr. R. F. Nixon: So the minister is wrong again. He's wrong again. That's 10 times in a row.

Hon. Mr. Winkler: The member knows better than that.

Mr. R. F. Nixon: He's very consistent.

Mr. Speaker: Order.

Mr. Deacon: Not only that, Mr. Speaker, but I'd like to point out to House leader that I have six children. Of the six children, five at one time or another have attended private schools. But I can tell the minister—

Hon. Mr. Winkler: Why doesn't the member tell the truth?

Mr. Speaker: Order!

Mr. Deacon: —that the reason our youngest has always attended public school is because in the public schools of this province we can get just as good an education as we can in a private school.

Mr. R. F. Nixon: Or even better!

Mr. Deacon: The only place we can get that is where there have been superior teachers with a sense of commitment who haven't been overwhelmed by this bureaucracy. A few of them somehow have been able to rise above it; and we can expect an excellent form of education provided for our youngsters. What we are doing right now is destroying the will of the teachers to be true professionals in their work.

Mr. R. F. Nixon: And the Minister of Education is responsible.

Mr. Deacon: I am unalterably opposed to Bill 274. I urge the government to withdraw it. This is the worst piece of legislation that has ever come before this House.

Interjections by hon. members.

Mr. Speaker: Are there any other members? The hon. member for Thunder Bay.

Mr. Lewis: Now the roof descends.

Mr. J. E. Stokes (Thunder Bay): Mr. Speaker, in this House over the past six years, I think it's fair to say that I've been considered a moderate, because nothing very much excites me; and I think to some extent that is true.

Mr. J. R. Breithaupt (Kitchener): Steady now!

Mr. Stokes: But I have never, in the time that I've had the pleasure of sitting in this House, Mr. Speaker—

Mr. R. F. Nixon: An honour, surely.

Mr. Stokes: —found a piece of legislation to be so distasteful and containing so much that alienated such a large group of the populace in this province at this ignominious piece of legislation.

Mr. Breithaupt: The government has provoked him.

Mr. Stokes: It is a condemnation of one of the most respected professions across the province. It is one of the most distasteful pieces of legislation encountered from the point of view of denying a very important segment of our population its basic civil liberties and human rights. I find that in bringing in this piece of legislation, not only has the government destroyed the collective bargaining process, but it has indicated, at least to us on this side of the House and to organized labour and, laterally, to the teachers, that it doesn't even understand the collective bargaining process.

Mr. R. F. Nixon: In that order?

Mr. Stokes: This is not a piece of legislation that was designed in desperation in the eleventh hour. This is a calculated attempt by this government to put the teachers in their place once and for all.

Mr. Lewis: That's right. That's what the government is doing.

Mr. Stokes: I want to quote, Mr. Speaker, very briefly from remarks made by this minister over the past few days.

As recently as Oct. 22, 1973, in this Legislature, in answer to a question from my leader, the Minister of Education said: "First of all, Mr. Speaker, the ceilings are not imposed on the teachers and the classrooms."

Mr. Lewis: That's right. That's what the minister said.

Mr. Stokes: How does he rationalize that statement with the inability of the boards to come to terms with the teachers of these 16 remaining boards, the teachers who for their very good reasons have chosen not to go back to work under the present conditions after their resignations become effective at the end of the year?

On Oct. 4, 1973, Mr. Speaker, the same minister in talking to his estimates said: "I find myself in a rather unusual position today. I have been called a conciliator, a radical, a compromiser, an extremist, and I don't know which one of those epithets fits me."

Hon. A. Grossman (Minister of Revenue): He was called a Tory too.

Mr. Stokes: I wonder does the minister have any idea what epithet might fit him more

appropriately since the introduction of this bill?

Mr. F. Laughren (Nickel Belt): We can think of a new one.

Mr. Lewis: The English language fails at this point.

Mr. Stokes: I want to harken back, Mr. Speaker, and remind the minister of remarks that he made at a speech at the Progressive Conservative policy conference at York University on Aug. 25 of this year.

Mr. J. F. Foulds (Port Arthur): Is the minister ready for this one?

Mr. Stokes: He said, among other things:

> Before the end of the 1970s, I predict that the word "militancy" will no longer be used to describe the actions of teachers in Ontario.

Mr. Lewis: Well, well, well!

Mr. I. Deans (Wentworth): Now we know how he intended to accomplish it.

Mr. Lewis: He has united the entire profession. For that they thank him.

Hon. T. L. Wells (Minister of Education): I want to say now that I will be here. The member may not.

Mr. Deans: Don't bet on it.

Mr. Stokes: He went on to say:

> By the dictionary, "militant" means warlike and combative. Maybe it is a good word for today, maybe not. But in any event, today's pressurized concerns over job security and class size and salary restrictions will cease to be the worry that they are today. That being so, I believe that the new-found political awareness which some leaders of the teachers feel they have developed will evolve logically and beneficially into a positive force for continuing improvement in our school system.

Hon. Mr. Wells: Very good.

Mr. Lewis: The minister destroyed that.

Mr. Stokes: To continue:

> What is it today? What may be called militancy today will be refined and toned down to a very desirable situation where teachers are at least considered an integral part of all decision-making related to education.

Hon. Mr. Wells: Right, and I believe it.

Mr. Stokes: The minister said:

> This was not the case in the past and it will be a major advancement in education in the 1970s.

Hon. Mr. Wells: Wait till then.

Mr. Stokes: Well, a logical question that flows from that, Mr. Speaker, is when?

Hon. Mr. Wells: See if I am not right.

Mr. Stokes: The teachers could logically ask, when do they become a part of the decision-making process in education in Ontario in the 1970s?

Mr. Lewis: The member is right. They are becoming a part now. He is quite right.

Mr. Stokes: I was most interested, Mr. Speaker, to hear the remarks made by the hon. member for Don Mills (Mr. Timbrell) who himself was a part and a member of the teaching profession. We have mutual acquaintances. There were teachers who taught on the same staff in a school in Metropolitan Toronto as the hon. member for Don Mills. I was sort of a go-between between them. The hon. member for Don Mills would say, "How is so-and-so up in northern Ontario? How are they getting along?" I would bring greetings from him to my friends in the north. They, in turn, would send greetings from themselves down here to him through me. I had occasion to talk to them the night before last over the phone.

Hon. Mr. Grossman: The member is competing with the postal system.

Hon. Mr. Snow: He is competing with the postal system.

Mr. Stokes: I made them aware that their very dear friend had voted for a bill that would deny teachers their basic fundamental rights and deny them the right to strike and to bargain collectively. They said, "He wouldn't do a thing like that. He's a Conservative and he's a teacher and he's a pretty fair-minded fellow."

Mr. Martel: And he is looking for a cabinet post.

Mr. Stokes: I said, "Well, I'll make available the copy of Hansard that records him as being in favour of compulsory arbitration for teachers. They said, "Well, that no good blankety-blank-blank."

Hon. Mr. Grossman: Not a teacher. A teacher wouldn't say that. So that's where my grandson gets that expression.

Mr. Stokes: Yes. In reference to our so-called friend from Don Mills—

Mr. Martel: And the term is used loosely.

Mr. Stokes: Yes. I just got a message here that somebody was interested in the remarks made by our hon. friend when he said that he had received no telegrams on Bill 274. We just want to let the House know that the following wire has just been sent to the hon. member for Don Mills:

AS A FRIEND AND COLLEAGUE OF MINE AT DON MILLS JUNIOR HIGH SCHOOL, AND ON BEHALF OF THOSE OF US WHO SUPPORTED YOU IN YOUR MUNICIPAL ELECTION CAMPAIGN, I IMPLORE YOU TO DEMONSTRATE ENOUGH COURAGE TO ABANDON YOUR PARTY ON THIS ISSUE OF BILL 274, WHICH VIOLATES THE BASIC HUMAN RIGHTS OF EVERY TEACHER IN ONTARIO.

That's signed by a personal friend of our colleague's from Don Mills.

Mr. Foulds: Better leave it on his desk.

Mr. Lawlor: Just in case he didn't get it.

Mr. Stokes: It has been said by the minister, and by others over there, that because of their intransigence, their insensitivity to the system, teachers have been victimizing our students.

I want to remind the minister that only for a few short weeks have a very limited number of students across this province ever been denied the right to an education because of a teacher walkout, or because of study periods.

I would hazard a guess, Mr. Speaker, that there have been more students in northwestern Ontario who have lost time and have been absent from school on more occasions because of the poor quality of the roads, because of slush, because of mud in northwestern Ontario, than was ever occasioned by any walkout, or because of any lack of co-operation by teachers right across this whole province.

So, when the minister and his friends get up and say that the teachers are exposing the children to an unsavoury situation and denying them a right to an education, I would say that the inability of this government to provide even a proper road structure in northern Ontario has contributed more to absenteeism in the school system than anything that the teachers have ever done across the Province of Ontario.

Mr. Lewis: That's right.

Mr. Stokes: I want to say, Mr. Speaker, that the ceilings and the disparity between the grants for the elementary schools and the secondary schools across the province have led more to this situation that's facing us today than anything the minister has ever done, or any of his predecessors have ever done.

I think that if he would have allowed this bill to go to a standing committee where he would have given all interested parties across this province an ample opportunity to express their views, I think that he would have had sufficient evidence—if he hasn't already—that this bill should not be before the Legislature at the present time.

I think that if he had done that—as was done by his colleague, the Minister of Labour (Mr. Guindon) when he saw fit to submit to committee the bill amending the Workmen's Compensation Act—I think that he would have left a much better feeling with the teachers and all interested parties in this province than he has at the present time.

I think there was ample evidence, as the result of the proceedings here yesterday, that everybody would have come out of a standing committee with a much better feeling; a feeling that participatory democracy was working. They would have had their day in court. And as a result, we would have a much better bill. I think if he had provided everybody across this province with that opportunity, this bill would have been much more palatable and I think he would have come up with a piece of legislation that would have served the needs much more adequately than this bill seems to do.

The member for Scarborough Centre (Mr. Drea), in his remarks, alluded to the fact that the Schreiber-Terrace Bay board had settled. He indicated that it was as a result of this legislation and its introduction by this minister.

I have gone to considerable trouble to talk with some of the 23 teachers who were involved in those negotiations. I want to report to this House this evening, Mr. Speaker, that there was a joint statement issued by the teachers and the board to the effect that in no way were the board or the teachers influenced by this proposed legislation.

They didn't have the benefit of a mediator; they had a Miss McIlveen and a Mr. Murphy, who were representative of the federation; and they had a Mr. Asseff and Mr. McCabe, who were representing the school board. They reached an adequate settlement in a civilized

way. They are all completely happy with the settlement.

There were compromises made and I suggest to this minister, Mr. Speaker, that the very same thing would very likely have happened in most of the other 16 cases had collective bargaining been given a chance to work.

I don't know what led this minister and the government of which he is a part, to believe that the teachers were so irresponsible and the boards were so unresponsive that it was impossible to avoid a complete impasse by the time these resignations were due to take effect.

I think if the minister had let nature take its course we wouldn't be spending hour after hour debating this distasteful and objectionable bill. Let me harken back to the legislative proceedings on Dec. 6, about a week ago, when in answer to a question by the leader of the Liberal Party the minister, among other things, had this to say, "I think it becomes very crucial that we do not interfere with that bargaining process at this particular point in time." Yet within about three days or 72 hours, here he is bringing a bill before the Legislature—

Mr. R. Haggerty (Welland South): Two bills.

Mr. Stokes: —which has the entire teaching profession and everybody who is even remotely concerned about education in this province, in an uproar. What happened in those intervening 72 hours which prompted the minister to take such precipitate action?

Mr. Lewis: That's a good question.

Hon. Mr. Wells: I have answered that.

Mr. Stokes: I suggest, Mr. Speaker, that a few of the wiseacres over there got their heads together and said, "Let's put these people in their place once and for all. Let's cut them off at the pass and let's put these people in their place so that we will show them who is boss in the province of Ontario."

Mr. Lewis: That's right. The minister identified the enemy, the teaching profession; that's what he decided. It was a supernatural visitation.

Hon. Mr. Wells: All we were thinking about is the children.

Mr. Lewis: Again—"All we were thinking about is the children." The minister's most manipulative, scandalous—

Hon. Mr. Wells: The children count.

Mr. V. M. Singer (Downsview): Did he do it all by himself?

Mr. Stokes: Two weeks ago, Mr. Speaker, while I was flying back up north, I had occasion to be sitting on the plane—

Interjections by hon. members.

Mr. Singer: Why is the minister embarrassed?

Mr. Speaker: Order.

Mr. F. Drea (Scarborough Centre): Will the members let the man talk? We listened to them all day; now let us listen to the member for Thunder Bay.

Mr. Stokes: Two weeks ago, Mr. Speaker, I had occasion to be flying to Thunder Bay and a seatmate on the plane was a former federal Conservative candidate and a member of a school board. I asked him, generally, what he saw as the major problems in education at the present time. He said if there was any one thing he could point to that would be more important than anything else, it was the fact that government was forever interfering with the prerogatives of local school boards.

He said the only portion of our budget at the present time that we had any discretion over, with regard to its expenditure and allocation, was limited to five per cent. The other 95 per cent was dictated by this minister, this ministry and this government.

Now, if they are going to restrict local boards to that extent where they only have discretion or a choice with respect to five per cent of their budget, it's quite obvious that they are not going to be able to bargain in a meaningful way.

The minister has denied in this House, time and time again, that his ceilings have had anything to do with the problem at hand. Mr. Speaker, I submit to this minister and this House that all of the problems related to school board-teacher negotiations at the present time rest entirely with this minister, this ministry and this government.

Mr. Singer: The Minister of Education is the fall guy. The Premier won't come.

Mr. Lewis: Teachers don't care about kids; the Minister of Education steps in to rescue them.

Mr. Singer: Where is the Premier?

Mr. Stokes: When the minister brought in the 10 or 11 amendments to this bill the day

after it was introduced, he went on at great length quoting an article by the editor of the Catholic Register. That happens to be a publication that I receive on a complimentary basis. I read it on a regular basis.

Mr. Lewis: Religiously.

Mr. Stokes: I read it religiously, as a matter of fact.

Mr. Laughren: Well said.

Mr. Stokes: I want to know from the minister why he chooses to take one editorial out of that particular publication to use it for his own ends?

Hon. Mr. Wells: Because I was very impressed by the editorial.

Mr. Stokes: I have a scrapbook—

Hon. Mr. Wells: I'll read all the editorials if the member likes.

Mr. Stokes: —where I keep those that seem to be of particular interest. I would just like to take the minister back to the eve of the last provincial election—

Hon. Mr. Grossman: Which ones does the member read?

Mr. Stokes: —where most of the things said there were very uncomplimentary to this minister and this entire government. But he didn't choose to quote from them.

Hon. Mr. Wells: What happened in that election?

Mr. Lewis: It wasn't a good result.

Mr. Stokes: It wasn't a good result for us.

Mr. Lewis: No.

Mr. Stokes: But at least we maintained our credibility—

Mr. Deans: At least we were honest.

Mr. Stokes: We were honest about the whole situation.

Mr. Deans: We were honest.

Hon. Mr. Grossman: Does the member mean the people were stupid? Is that what he means?

Mr. Stokes: As a matter of fact, Mr. Speaker, I think we were much more honest than the editorial staff of that particular publication.

Mr. Singer: Yes. I'm sure they were.

Mr. Stokes: I think we were.

Mr. Speaker, I want to quote from some of the telegrams that I have received. Because of the sparsity of population in the riding of Thunder Bay, I can't trot out hundreds of telegrams; and I don't intend to read a lot of telegrams. I'm going to read a few of them.

Hon. Mr. Wells: The member reads telegrams; I read editorials.

Mr. R. F. Nixon: Has the member got any from Schreiber?

Mr. Stokes: Yes, I have. There's one from Nipigon, which I'm not going to read. There is another from the Nipigon-Red Rock High School, which I'm not going to read.

Mr. Sargent: Six is all he can read, Mr. Speaker.

Mr. Stokes: There's another one from the federation.

Hon. Mr. Wells: Don't tell me the Nipigon-Red Rock school sent one.

Mr. Stokes: There's another one from the Schreiber public school teachers, which I'm not going to read. There's another one from the Nipigon-Red Rock federation, which I'm not going to read.

Mr. R. F. Nixon: The member had better read those.

Mr. Stokes: There is another one from the Lake Superior Elementary School, Terrace Bay Campus, which I'm not going to read.

There is one from the Nipigon Public School, which I'm not going to read.

Mr. Lewis: Why isn't the member reading them?

Mr. Stokes: There is another one from Marathon, which I'm not going to read.

There is one from Nipigon and Red Rock, which I'm not going to read.

Mr. R. F. Nixon: For the third time!

Hon. Mr. Wells: Read them all.

Mr. Lewis: No, no. Wait until the finale.

Hon. Mr. Wells: I want to hear what the Nipigon-Red Rock one says.

Mr. Lewis: It comes on with a fine sense of timing.

Hon. Mr. Grossman: Finale? Has the member rehearsed this?

Mr. Stokes: Here's one that I am going to read, though, Mr. Speaker. They are all addressed to myself at Queen's Park. This one says:

WE STRONGLY PROTEST LEGISLATION RE DENIAL OF MASS RESIGNATION BY TEACHERS.

That's from the federation from Thunder Bay North. Here is another one:

WE CONSIDER MR. WELLS' CURRENT LEGISLATION SHOULD RECEIVE FULL EXPOSURE THROUGH PUBLIC DEBATE AS IT IS A BASIC VIOLATION OF TEACHERS' RIGHTS.

That's from an individual teacher in Marathon.

Mr. R. F. Nixon: Full exposure.

Mr. Lewis: They all say the same thing.

Mr. Stokes: Another one says:

GRATIFIED TO SEE YOUR PARTY'S RESPONSE TO WELLS' LEGISLATION. WE CONSIDER IT A BASIC VIOLATION OF TEACHERS' RIGHTS AND SHOULD RECEIVE FULL EXPOSURE THROUGH PUBLIC DEBATE.

That is another one from Marathon. And here is another one from 263 Harrington in the city of Thunder Bay:

BLACK DAY FOR ALL ONTARIO EMPLOYEES. KEEP UP THE FIGHT. THANKS.

Another one reads.

LEGISLATION REMEDYING TEACHERS' RESIGNATION IS BASIC VIOLATION OF TEACHERS' RIGHTS. PASSAGE OF SAME SHOULD BE DELAYED PENDING PUBLIC DEBATE.

That is from a teacher in Marathon. Then this one:

WE FEEL THAT THE LEGISLATION ANNOUNCED ON DEC. 10 TO MAKE TEACHERS' RESIGNATIONS ILLEGAL IS UNJUST, REPRESSIVE AND DICTATORIAL. WE CANNOT STRESS STRONGLY ENOUGH HOW SHOCKED WE ARE UPON HEARING OF THIS INTOLERABLE ACTION.

That is from the staff of the Red Rock Public School. Incidentally, Mr. Speaker, do you know who is a member of the staff of the Red Rock Public School? He is the Conservative candidate in the next federal election.

Mr. R. F. Nixon: He's nominated already and he is called the sacrificial lamb.

Mr. Stokes: He's nominated already and here he is coming down and saying, "Please stop those infidels from doing what they are doing." He's a Tory candidate in the next federal election.

Here's another one:

TEACHERS OF LAKE SUPERIOR BOARD OF EDUCATION, MARATHON, PROTEST VEHEMENTLY PENDING LEGISLATION DENYING THEM THE RIGHT TO RESIGN WHEN CONTRACT WITH BOARD OF EDUCATION IN DISPUTE. COMPULSORY ARBITRATION NOT ACCEPTABLE AS A MEANS TO SOLVE CONTRACT STALEMATE AND WE FIND ACTION OF GOVERNMENT TO BE REPUGNANT. SUGGEST STRONGLY THAT THE MINISTRY REASSESS CEILINGS AND RE-EXAMINE ADMINISTRATIVE PRACTICES AT LOCAL LEVEL.

That's signed by 23 teachers from the Marathon public school teachers' federation, and I see the names of three prominent Tories right here.

Mr. Lawlor: And it is endorsed by John Robarts.

Mr. R. F. Nixon: How can the member for Thunder Bay tell? Are they written in blue?

Mr. Stokes: No, I happen to know them personally.

Mr. Lewis: He knows everyone in the riding.

Mr. Stokes: I know all six of the Tories in that town.

Mr. Lewis: They check their credentials with him one by one.

Mr. Stokes: I think, Mr. Speaker, by the introduction of this bill and this legislation the government has indicated it has no faith in the collective bargaining process. It is quite evident to me that the government has no faith in democracy. It is evident to me that the government has no faith in the teachers of this province.

I still have three children in the school system in the Province of Ontario. I have no hesitation in putting those children under the charge of the teachers of this province and I don't think this minister should have any hesitation in allowing the collective bargaining process to run its course. Had the minister done that, the majority of these boards would have signed and would have reached an agreement in a way that would have been quite—

Mr. Sargent: Okay, why doesn't the minister resign right now?

Mr. Stokes: —acceptable to the teachers to the boards and to the students. I think if the minister would show a little bit more faith in the collective bargaining process and in the teachers in this province who have always acted responsibly in the past, we wouldn't be in the hassle that we are today.

Morally it was wrong; politically I think it is even worse. I know it is going to come back to haunt the minister and I'm sure not only has it done irreparable damage to the opinion that the teachers have of our political process in our province, but I am sure that as time goes on the government will see that it has alienated a good many of the students, who have come along quite well, thank you, thanks to the teachers in the Province of Ontario.

I think that the minister was wrong-headed in bringing in this legislation and I am sure that it will come back to haunt him.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I don't want to take too much time of the House this evening, because most of the things that seem necessary to be said have indeed been referred to.

Mr. C. E. McIlveen (Oshawa): A dozen times.

Mr. Breithaupt: The Speaker has commented, of course, on the various telegrams that members have read, because we have all received a goodly number. There is only one that I want to refer to this evening out of the 35 or so that I've had today; and that one seems to me, Mr. Speaker, to sum up most of the reasons why this bill is a bad bill. If I may I would like to read it to you:

THE PUBLIC SECONDARY SCHOOL TEACHERS OF WATERLOO COUNTY WISH TO EXPRESS GREAT SHOCK AND OUTRAGE IN THE EMERGENCY AMENDMENT OF THE MINISTRY OF EDUCATION ACT FOR THE FOLLOWING REASONS: 1. THIS IS A VIOLATION OF THE BASIC RIGHTS OF THE CITIZENS OF THE PROVINCE OF ONTARIO; 2. IT IS AN ATTACK ON FREE COLLECTIVE BARGAINING; 3. IT IS BEING RUSHED THROUGH WITH NO OPPORTUNITY FOR INPUT FROM THE PARTIES INVOLVED.

Now these three points which have been raised, in this case by the president of District 24 of the OSSTF, are I think the three basic points of this legislation that we have really to review in the principle of Bill 274.

This afternoon several of the members—I believe the member for Sudbury East particularly—commented upon the letter which we had all received from the Ontario Teachers' Federation. As you are aware, Mr. Speaker, this organization includes the Ontario Secondary School Teachers' Federation, the Federation of Women Teachers' Associations of Ontario, the Ontario Public School Men Teachers' Federation, l'Association des Enseignants franco-ontariens, and the Ontario English Catholic Teachers' Association. The points which were raised in that letter, of which all members have a copy, are pretty well the same particular items raised, as I have referred to, in this telegram.

Now Mr. Speaker, surely the comments raised by the members on this side of the House should have some effect upon this government. The most important one, I think, is the one which my leader raised earlier on. He referred you, Mr. Speaker, to the fact that the teachers who are involved in this particular situation are a different kind of person to the teachers that perhaps you and I were involved with in the days when we were going through the public and secondary educational programmes of this province.

I think, Mr. Speaker, as you look into the public galleries this evening, you are well aware that there are a goodly number of people here tonight who are more particularly interested in this bill than perhaps many citizens have been in other bills in the past. I ask you to look upon these people, because I suggest to you that as young, committed, professional persons they are more particularly involved in the future of the educational resources of this province than probably anyone on the floor of this chamber.

After all, Mr. Speaker, these are the persons, as referred to again by the member for Sudbury East, who suddenly, on one day early in September, faced a classroom of students for the first time. And as I looked upon those who gathered outside the lobby of this chamber, as I looked upon those who were outside the building, and indeed as I look upon those who are in the galleries this evening, they are young persons, many —indeed most—much younger than I am, and yet who have had a commitment to teaching and an involvement that has placed them in the firing line of education.

We are not dealing with the consultants. We are not dealing with those who have taken positions in the administration of the county boards that have been developed by this government. Now there have been other times when we have been commenting upon the kinds of structures which have been developed. We have said on occasion that there have been those who seemingly have set the standards for the jobs in the county board and then have moved out from the Ministry of Education to fill those jobs.

That is not our particular point at issue this evening, because indeed if that kind of

an administrative structure which has been approved by this Legislature is something to which we have committed ourselves or to which we have been committed, then indeed we must attempt to get the best people involved and hope that the system can work.

But what we do say to you tonight, Mr. Speaker, is that the people who are most particularly involved in the classroom, the ones who are dealing with students on a daily basis, these are the teachers with whom we are the most concerned. These are the teachers who have sent the telegrams—and they have been sent, I am sure, to every member of this House.

They have been sent not only on the basis of the schools or on the basis of a particular organizational branch within a district association of one of the five groups to which I had earlier referred but they have also been sent, as the member for Thunder Bay has referred to in his comments with respect to the telegram sent to the member for Don Mills, they have been sent on the basis of personal knowledge and friendship.

And I think it is most important for all of us, as elected members of this Legislature, to comment upon the particular response that individuals that we know well have given to us with respect to Bill 274.

And every one of us is surely in that position where teachers that we know, whether they are high school principals or various department heads, whether they are people who are teaching in the public school system or in the separate public school system, they have referred to us their particular distaste with respect to Bill 274.

Now the comments have been made on both sides of the House about this bill. Certain of the back-bench supporters of this government have attempted to find reasons of support for this bill. They prate at some unfortunate length about the particular interests of the students as though we were not interested in the students.

Mr. R. F. Nixon: Just one of them.

Mr. Breithaupt: They comment as though there were only one factor in this most involved confrontation. And of course there are many factors. I would hate to think that any member of this House would attempt to hang his or her hat on the peg of the students themselves; because to do that is to presume that the teachers, and indeed the members of the House on this side, have no interest in the students. It's not a confrontation; it's not an either/or situation; it is rather a dealing and developing with the kinds of factors that are important as we attempt to resolve this problem.

Now Mr. Speaker, we have commented at some length upon the fact that the major problem in this bill, if you look to principle, is that the matter is being resolved in advance of an intelligent attempt to deal particularly with these problems over the next several weeks.

There are 16 boards left. We of course have the amendments before us which have changed substantially Bill 274. As you know, Mr. Speaker, there is not a member of this House who would not prefer to have these problems resolved without the cloud hanging over them of the force majeure—to use the term that has come up in energy policy discussions during these last weeks or so—without this force majeure of announced legislation in advance.

And this is the most particular problem which I think members on this side of the House have. That is, the compromise of a collective bargaining situation in advance of the resolution or the possible resolution of that problem.

Now it could well be that the problem might not be resolved. It could well be that on Jan. 3, or Jan. 10, or whenever a certain number of days had gone by, this House would have to be recalled to deal with a certain situation. I would not comment upon how that situation might be dealt with at that time, because the public interest at that time might bear upon all of us as we attempt to resolve the problem.

But I do say to you, Mr. Speaker, that in this situation, in the dealing with this bill, we are not dealing necessarily with the best interests of the parties involved when we attempt to deal with them in advance. We are compromising what still could be a resolution of basic differences of collective bargaining. We've commented, of course, upon the liability of teachers to remove their services in this instance; in effect to decide that, for one reason or another, they are prepared to announce in advance they are not going to be in the classrooms in the new year unless this matter can be satisfactorily dealt with.

I suggest to you, Mr. Speaker, that the introduction of this bill and the manner in which it is framed is unfortunate. I suggest to you that the principle of this bill, if we look at the explanatory note, is a fairly simple one. The principle is as follows:

> The amendment provides that where teachers have resigned for the sole purpose of strengthening their negotiating position the resignations are void and the teachers are required to continue their duties in accordance with their contracts of employment. If an agreement is not reached by the time their resignations are effective the board is required to submit to final and binding arbitration matters remaining in dispute.

It is a very simple and direct principle, but it is one which, I suggest to you Mr. Speaker, is being introduced at this time in a most unfortunate way.

The unfortunate way is that it compromises the possibility of resolving these problems over the next several weeks. If the situation were different at the point in the new year when we had to return and possibly commit ourselves one way or the other to a resolution of a problem which we saw in the public interest, that might indeed be a different thing. I would do what is best in the public interest.

Mr. R. F. Nixon: That is what we are elected to do.

Interjections by hon. members.

Mr. Breithaupt: I have no problem in saying to the hon. member for St. Andrew-St. Patrick, the hon. Minister of Revenue, that we would deal with the matter when it raises its head.

Mr. R. F. Nixon: But there is no strike.

Mr. Breithaupt: There is no advantage at this point in compromising the particular ability of parties to deal with the problems as they are arising at the present time. On that situation—

Hon. Mr. Winkler: He is never going to learn.

Mr. R. F. Nixon: Yes. The hon. member is looking for a rationalization.

Hon. Mr. Winkler: He is looking for a rug to crawl under.

Mr. Breithaupt: Mr. Speaker I think the comments, as I have said, have been made particularly. There is no point, really, in dealing with an involvement of telegrams, an involvement of particular conversations or comments in the press, particularly with respect to this area. What we have suggested is that the basic principle in this bill is a bad principle in that it attempts to resolve in advance a problem which is not clear at this point. Because of that principle and because of the view which we have taken, certainly on this side of the House we intend to oppose this bill.

Mr. Speaker: The hon. member for Riverdale.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, I want to deal with an aspect of the bill which, in the short time I have been able to be present for the debate, I don't think has been adequately dealt with.

I am concerned very much with a government which, because the Globe and Mail a week ago tossed a gauntlet down on the floor, felt compelled to introduce this kind of legislation at the end of a session.

There is no question whatsoever that every time a government—and this government in particular—introduces emergency legislation of any kind, it results in a distortion of the principles on which adequate legislation should be framed. It warps the conceptions on which that legislation should be based and it corrupts the very process that we are engaged in.

I want to take a little bit of time to say to the minister and to the government, for God's sake tell us what they are trying to do. I happen to be one of those persons who doesn't believe that the legal principles applicable to relations between individuals and relations between individuals and boards are such that they can be espoused only on occasions when they suit their purpose and then can be discarded. I happen also to be a person who believes that the constitution of the country is a significant document. It is not one which either disregards, pretending that it has no application in any given situation, or else indicates that it will only be applied if, as, and when it is amended in some particular aspect.

I want to say to the minister—I know that the minister is not a lawyer, but I would at least like to have his attention for a few minutes in the course of this debate.

Hon. Mr. Wells: I am listening. Don't worry.

Mr. Renwick: All right. I want to hear the minister listening.

Hon. Mr. Winkler: Tell me how to do that.

Interjections by hon. members.

Mr. Renwick: By keeping quiet; but I want to hear the minister keep quiet.

Hon. Mr. Wells: The member for Riverdale has not been here for the whole debate.

Mr. Renwick: That's right. I haven't been here for the whole debate.

Mr. Deans: That's what he said when he started.

Hon. Mr. Grossman: The minister has been here the entire time.

Mr. Renwick: That is irrelevant.

Hon. Mr. Wells: The member didn't hear what I had to say.

Mr. Renwick: It is quite irrelevant as to whether or not I was here yesterday or the day before.

Mr. D. R. Irvine (Grenville-Dundas): Or the week before.

Mr. Renwick: Why is it relevant?

Hon. Mr. Wells: Why is it irrelevant that the member is not here when I say anything, and it is relevant that I be here when the member speaks?

Mr. Renwick: Exactly; it is irrelevant what the minister said and it is very relevant what I am going to say.

Mr. Lewis: Now the minister understands. And the difference is that he knows what he is talking about.

Mr. Speaker: Order.

Interjections by hon. members.

Hon. Mr. Wells: I have not heard too many relevants.

Mr. Renwick: Well sit back and listen.

Mr. Lewis: Listen, because the minister is going to get a lesson tonight about his legislation.

Mr. Speaker: Order, please.

Hon. Mr. Winkler: We get no lesson from the NDP leader.

Mr. Renwick: Let me, Mr. Speaker, go back, and in a quiet way, engage the minister.

Are we legislating about education? Are we legislating with respect to civil rights in terms of the contractual rights of a large body of individual citizens who are teachers throughout the province? Are we legislating about collective bargaining processes and the choice of the government to accept compulsory arbitration in place of the individual contracts of employment? Or are we legislating—disguised as legislation about education—legislating a criminal offence.

Let me make that perfectly clear, because an elementary principle of the law which we live under is that contractual arrangements for personal services, if breached, are satisfied by an award in damages. And, Mr. Speaker, forgive me if I seem to be somewhat elementary about it.

Let me also make a second point, that contracts of personal services in the equity jurisdiction administered by the courts were never specifically enforceable; that the only result of a breach of a contract of personal service was an award in damages.

Let me make the third point, that nowhere is it possible to say that a contract for personal services, which has been extended by an arbitrary act of government, can be subject to the kind of penal provision which is provided in the statute which the minister has put in front of him.

Let me draw the attention of the House, Mr. Speaker, to the basic principles of what the minister is asking us to do; and let me try to indicate to him that the law of the province is such that it does not permit a bill such as this to be enacted by the assembly without being subject to a serious challenge about its legality and its constitutionality.

The minister brought in some amendments, and everyone thought they were designed to ameliorate the bill. But everyone who has any understanding of what the bill is about recognizes that the minister brought in those amendments in order to try and support a bill, which when he first introduced it he was told by his legal advisers it was an unconstitutional Act and an illegal Act. And subsequently he introduced the amendments which are underlined in the bill which is now before us.

And he attempts to deal in the assembly with individual contracts of employment under which the persons, in accordance with those contracts, have given notice of resignation; and he then indicates that by an Act of this assembly that any resignation effective back to Sept. 1, 1973, will be of no effect. And he then introduces later on, as an amendment to the bill, the provision that when the award of arbitration is made under the compulsory arbitration provisions, when those are envoked, that at that point the moratorium on the resignation can be lifted and any individual teacher's resigna-

tion can be submitted 30 days after the award comes into force.

Disguised as preserving the individual contract of employment of each teacher, he has destroyed the contract.

Mr. Lewis: That's right.

Mr. Renwick: Because at the point in time when his right to resign is reinstated, he will not be subject to an individual contract of employment, he will be subject to a collective bargaining agreement which has been the award made by an arbitration board.

Let me try again to go back a little bit. We used to talk about status. In feudal times everyone's relation to the society in which he lived was a relationship of status. And those who have studied the law of England and the law of the Province of Ontario are well aware that in substitution for servitude we allowed people to have contracts of individual employment.

And, Mr. Speaker, what the minister has done is not just to take away, for a short period of time, the right of the person to resign, withdraw his services from that employment. What he has done is to substitute an entirely different set of relations through a compulsory arbitration process upon a person, in substitution for what was formerly his individual contract of employment.

Let me make that perfectly clear, because I want to refer to my particular bible on this subject, Mr. Justice Laskin's version of the constitutional law of the country in the third edition, which is revised.

A judge in this province who all of us who have any knowledge of the law respected when he sat on the bench was the justice in appeal, Mr. Justice Middleton. Mr. Justice Middleton said:

> A contract creates civil rights which, speaking generally, knows no territorial limitation. When legislation purports to destroy the contract itself, that legislation does not concern civil rights in the province, but is an attempt to destroy civil rights which have no territorial limitation. And in my view it is ultra vires of the province.

Mr. Lewis: Hear that?

Mr. Renwick: What Mr. Justice Middleton was saying, very clearly, was that when the minister comes to this assembly and disguises as a withdrawal of the right of persons to resign from employment and to nullify the resignations which were submitted any time after Sept. 1, 1973, he is not just affecting that one particular right of resignation, what he is doing is destroying that individual contract of employment. And the minister knows it.

The minister is aware that when the award is finally made, they will have substituted, by a compulsory process in lieu of the free bargaining arrangement which could have taken place without this legislation, an arrangement whereby the rights and duties of teachers and the boards of education in the Province of Ontario related to these particular boards will have been dictated.

What the minister obviously has foreclosed in the far distant future of next year is the whole question of whether or not there should be compulsory arbitration to negotiate the rights of working conditions and salaries between teachers and the boards that they serve throughout the whole of the province.

The minister has vitiated the possibility of a meaningful debate on that question. He has vitiated the possibility of people coming before one of the committees of the assembly and discussing the question of whether or not compulsory arbitration should or should not be the final arbiter as to the method by which the rights and duties of teachers and the boards of education are governed.

We can have honest differences of opinion in that kind of orderly debate; but if the government destroys the kind of trust, respect and civility, which is an imperative ingredient for reaching, freely, agreement as to the nature and scope of the contractual arrangements between the teachers and the boards; if the minister destroys that he has destroyed one of the cornerstones of the educational system of the Province of Ontario.

Mr. Speaker, what the minister doesn't understand is that what is wrong with emergency legislation of this kind is that it destroys that kind of respect, that kind of trust and that kind of civility.

In the Province of Ontario, the kind of orderly change, the kind of knowledgeable commonsensical discussion of relations between people and groups in a complex society can only be achieved if the government creates an atmosphere of trust, of respect, and more than anything else of common civility.

Mr. Breithaupt: It destroys the trust of 30 years.

Mr. Renwick: By doing what he has done, the minister has destroyed the possibility, for a lengthy period of time, of those elements

ever again being present in the relationships between the teachers, the boards of education, the parents, the children, the pupils in the school, and this assembly.

I want to try to say to the minister, if I may, that he has available to him an opportunity, such as very few ministers have, of simply saying: "Look, this is a mistake, a derogation of the government of the Province of Ontario from its traditional attitude toward the educational policy of the province. This endeavour of the government to reach an agreement, because of some bogey which has been created in the government's mind, is wrong. And I, as the minister, am about to recognize the fact that I can, in good grace, withdraw this legislation in the light of the debate which has taken place, in the light of the very growing and serious concern which is spreading now throughout the Province of Ontario amongst many groups of people who are very much concerned about the imposition of something called compulsory arbitration, by the intrusion by government in areas which traditionally have been in this province settled by negotiation—not negotiation with violence, not negotiation with confrontation, but negotiation in trust, with mutual respect and with civility."

I want to say to the minister in all seriousness that under our constitution he cannot legislate the kind of legislation which he is bringing in front of us.

Mr. Lewis: Right.

Mr. Renwick: I am always intrigued when a minister, for whatever reasons, disregards the clear constitutional provisions of the British North America Act. I guess everyone in the Province of Ontario who is concerned about Bill 274, which is entitled, An Act to amend the Ministry of Education Act, would say that that has to do with education, and therefore, whatever is contained in the bill deals with education. Therefore, it is quite all right for the bill to provide that:

> Every person who contravenes and every member of the board who assents to a contravention of any provision of this section is guilty of an offence and on summary conviction is liable to a fine of not more than $500 for each day upon which such contravention occurs or continues.

They would think the amended provision—it was in the earlier bill as not less than $200 and not more than $500—must, therefore, be all right.

There's an interesting part of the constitution and I guess it's why lawyers make their living in constitutional law—those who are capable of following the intricacies of the topic. They would refer to section 93 of the British North America Act which states, "In and for each province the Legislature may exclusively make law in relation to education," subject to certain conditions which are not applicable or relevant to the matter we're discussing.

That's in section 93 of the British North America Act. There is nothing in section 93 of the British North America Act, and there is nothing anywhere else in the British North America Act, conferring any jurisdiction on the Minister of Education to impose a fine upon persons who may contravene a provision of an Act relating to education in the sense in which the minister has set it out.

It is true that in the preceding section, section 92, it is possible for the Province of Ontario exclusively to make laws in relation to matters related to property and civil rights in the province. Everyone knows very well that it is quite possible for the Legislature of Ontario to invalidate a contract should it, in its folly, decide so to do. It's constitutionally quite possible for it to do so. In can invalidate that contract, but it cannot make it a criminal offence. That is what the result of the bill is.

Take, for example, a teacher who withdraws his services on the day stated in his resignation; let's say he and a number of others withdraw their services on that day. The board, from whom they have withdrawn their services, could if it wished to do so, sue him on his contract if it had any ground to do so. My understanding is that it would have no ground because he had a legal right under his contract to terminate his services on that particular day.

Mr. R. F. Nixon: Until the passage of this bill.

Mr. Renwick: Until the passage of this bill. The day on which this bill is passed he will not only be subject to a claim against him for damages if he resigns but also to what the minister has said to the board—"Go to the nearest justice of the peace and lay a charge against that teacher."

What is the nature of the charge? Not that he resigned but that he resigned in a particular way, and in criminal law that is known as having a guilty mind. It's a beautiful phrase, mens rea, and the crux of a criminal offence is the kind of mind a person has when he commits the offence.

What has the minister done so very cutely in the bill? He has created the sense that it is only those teachers who are in some sense guilty and the sense of guilt is set out. It's those persons who have engaged in a conspiracy. Conspiracy is a wonderful element of the law. It's been so good that 95 per cent of the charges which are laid for conspiracy never lead to a conviction. It's one of those nebulous charges which governments resort to when they don't know what they're doing but they want to destroy a particular form of legal action.

Mr. Lewis: That's right.

Mr. Renwick: What is the guilty mind of the teacher? The teacher must be one who acts in concert or in accordance with a common understanding, for the sole purpose of strengthening the negotiating position.

Has the government been reading the newspapers about the conspiracy charges in the United States of America? Has the government been reading the trial of the Chicago Seven and what happened to the process of justice when they tried to convict people for conspiring?

Has the government had any understanding that the use of conspiracy as the basis for a charge of any kind, first of all is designed to brand that person as being engaged in criminal conduct; and second, for practical purposes, that the ultimate result of a conviction will not take place but that the social behaviour which the government wants to enforce in the interval will be achieved for the government?

Mr. Speaker, I don't know whether I can make that point much clearer. I want to try again, once more, to state that, because this is what is happening. The minister is saying those teachers who have conspired together—in the words of the statute, acted in concert, which is a slightly more euphemistic and polite way of saying conspired together—those particular teachers will be subject on Dec. 31, 1974, to compulsory arbitration.

The award will ultimately be made. Their relationships with the board will be irrevocably changed without them having any participation in the processes of the law by which that change is going to take place. At some long distant date—maybe next September, next October, next November—in some provincial court in some part of the Province of Ontario, some teacher will stand up in court and the charge will be read against him: What did he do? He is charged that on such-and-such a date he resigned from such-and-such a board of education—if I can find the bill—and it is charged that he did so resign in accordance with a common understanding, in concert, for the sole purpose of strengthening his negotiating position, along with others.

Mr. R. F. Nixon: Impossible!

Mr. Renwick: And at some distant date an assistant Crown attorney and the teacher, with his counsel, will fight through this little game of conspiracy. In the end result the judge will say: "It is proved as a fact that this teacher did resign. It is proved he submitted his resignation. It is proved even that he submitted it on Sept. 1 or thereabouts, 1973, and it is proved that he may have done it in concert with other persons, because some other people resigned at the same time, but in my view the Crown has failed to prove the conspiracy in which this teacher was involved. The charge will be dismissed."

Mr. R. F. Nixon: An impossible piece of legislation.

Mr. Breithaupt: Case dismissed.

Mr. Renwick: What will have happened will be what happened in the city of Washington at the last of the great anti-Vietnam demonstrations. Thousands of citizens were arrested and put into jail; thousands of them afterwards either had the charges withdrawn or were acquitted, but the result the government wanted to achieve was achieved.

Mr. Deans: That's the point.

Mr. Renwick: That was the destruction of the right of the citizen in that particular instance to exercise his right to assemble and to protest.

Mr. Speaker, I want to say, to the very best of my ability, that I am not going to be a party in this Legislature to the introduction of a bill, relating to the Ministry of Education, containing the principle under which a teacher or a group of teachers or a series of teachers can be charged with an offence of conspiracy and subjected to the threat of a fine of $500 a day for each day during which that contravention continues—and that's quite a mathematical feat for the court to calculate as well when it comes to imposing the fine.

It's all very cute for the minister to drop that minimum fine of $200 a day so that we can get into the court and the teacher,

even if he's convicted, can go away with a little slap on the wrist because he's lost the game. The game will have been over.

Mr. Speaker, what I am saying to the House is that if the government is going to change the relationship between the teachers in the Province of Ontario, their designated agents for bargaining purposes and the boards of education which they serve within the constriction of the educational financial ceilings which are imposed—if the government is going to do that, then in the orderly processes of democratic governments it does it by introducing a bill, allowing the bill to rest for a while for discussion; then it allows the bill to come to second reading. You know, Mr. Speaker, if the government values the teaching profession, and its relation to the parents of the province and to the children of the province, as much as it valued—was it the farmers who raise beef cattle?

Mr. Lewis: That's right.

Mr. Renwick: I think that was the bill that we let go to committee before second reading.

Mr. Lewis: Right. That's right.

Mr. R. F. Nixon: Before second reading, we had deputations from all across the province.

Mr. Renwick: If this relationship is at least equal to the relationship of the government of Ontario with the beef cattle raisers in the Province of Ontario—

Mr. Breithaupt: It is nice to know what the priorities are.

Mr. Renwick: —then I would suggest we could bend the rules, because I think those of us on this side of the House would give unanimous consent for the bill to go to committee before second reading, so that we could hear the representations which are made, the discussions which will take place, the submissions which will be made to the standing committee of the Legislature and let it take its course.

An hon. member: That's right.

Mr. R. F. Nixon: If the Minister of Agriculture and Food (Mr. Stewart) were here he would support the member.

Interjections by hon. members.

Mr. Renwick: I think he would.

Mr. Lewis: The minister should rise and withdraw the bill.

Mr. Renwick: Mr. Speaker, I am not going to go on at much greater length. I am so concerned about the nature of the bill and what the government is doing to groups in the Province of Ontario which have legitimate interests, I am concerned that it is going to preclude, for all time, orderly negotiations between a number of special-interest groups, which because of the kind of society in which we live are of necessity going to come into contact with the government in the government's need to provide the kind of services that the general citizenry around the province require.

I find it passing strange that now the Ontario Medical Association, now the trade union movement, now I even believe the Civil Service Association of the Province of Ontario, is concerned about the course which the ministry is following; and if I may say so, following in a very real sense because of the paranoia of the Globe and Mail on this particular issue.

Mr. Lewis: Right.

Mr. Renwick: I can recall, as I am sure, Mr. Speaker, others can recall, the sad, dejected group of people from the Western Hospital who camped out here in the tents a year ago last summer—I think it was a year ago last summer—and the Globe and Mail editorial would indicate that we were on the verge of armed revolt—

Mr. Lewis: Civil war.

Mr. Renwick: —unless the government did something with the mailed fist against those persons.

We had the same sensation of pressure during the Hospital Disputes Arbitration Act. We had the same lack of appreciation by the government in its relationships with the Civil Service Association of Ontario. We have the same kind of unconcern displayed by the government when we allow strikes in smaller plants because of a failure to negotiate in good faith.

I can think of Telco Plastics, Proctor-Silex, Artistic Woodwork, Hanes hosiery and any number of others, all because there is a fundamental desire on the Tory government over the long haul to impose a compulsory solution on matters which adult citizens engaged in adult negotiations with mutual respect, with civility and with mutual trust, can achieve without in any way disrupting the kind of society that the members opposite, as the government of Ontario and as politicians, and we and my friends on the

right as people in opposition and as politicians know will occur in the Province of Ontario if the parties are given the kind of opportunity to conduct those negotiations.

I close on my basic and fundamental point, and this is one of the occasions in the assembly when I'm very happy and proud to be a lawyer. Because I'm not going to play the game of the introduction into our legislation, disguised as an educational measure, of the conspiracy theory amongst teachers with respect to whether or not they are in breach of the law of the province.

I say more to the minister, that to that extent he is legislating on matters of criminal law; and matters of criminal law, thank God, are reserved for another jurisdiction. On the constitutional issue there is little question in my mind; on the legal question there is even less question in my mind; and on the moral question of what he is doing to the fabric of our society, just as the pebble drops into the water and the circles expand, he is destroying part of the fabric that has enabled this society to live in substantial peace and good order and make substantial progress through the laws passed by this assembly. Mr. Speaker, in all good grace I ask the minister to withdraw the bill.

Mr. Speaker: The hon. member for Perth.

Mr. H. Edighoffer (Perth): Mr. Speaker, I might just take a moment at the beginning of my remarks to ask the Minister of Education whether, after the last number of excellent speeches, he has really reconsidered and if he would want to withdraw the bill right now?

Mr. Bullbrook: That's a good question.

Mr. R. F. Nixon: The answer is "yes."

Mr. Foulds: There is a crisis of intellect in this chamber, and it is right with the Minister of Education.

Mr. Speaker: Order, please.

Mr. Edighoffer: Mr. Speaker, I think it is most important to join in this important debate on Bill 274, an Act to amend the Ministry of Education Act. I could, as many other members have, read many telegrams and petitions but, more than anything, I was most impressed by the number of personal telephone calls I received from teachers in my riding, teachers who were concerned and wanted me to impress upon this minister the need to withdraw this legislation.

Much has been said about this amendment, both here in the House and outside the House as well. If I went into great length and detail, I'm afraid I would be repetitious, because I feel that most of the important points have been placed before the minister many times. Hopefully they will sink in. However, I would like to make a few of those points again in the hope that it will help to saturate the minister.

Mr. Speaker, this is what I call overnight, frantic legislation. Generally the government makes decisions in the fullness of time. In this case, I'm sure they will live to regret it. In this case, one day the bill was before us; the next thing we knew, the bill was reprinted—and it appears to be a different Act. This only shows that the government is governing by the seat of its pants.

Mr. Speaker, you are well aware that the telegrams have been plentiful, that petitions have been presented and that the phone lines have been really hot. The minister has caused a tremendous amount of hostility, unnecessarily. Many people I have talked to realize that the author of this legislation is the Minister of Education, but it also goes back to the extravagance of the Premier and some of the blame has to be placed on the Premier, particularly during his reign as Minister of Education.

Mr. Ruston: He is the one to blame, he is the one that caused it.

An hon. member: Davis' dilemma.

Mr. Edighoffer: Mr. Speaker, since this bill has been introduced and now further amended, I see that the first section of this bill has spelled out and limited the definition of the term "board." Under the new limitation, I find the Perth County Board of Education and the Huron-Perth County Roman Catholic Separate School Board are included in this definition. This covers most of the area I represent. I have to say, Mr. Speaker, I respect the teachers under these boards and the trustees who have been duly elected to fulfil their duties. I believe these two bodies have the ability and the desire to negotiate; we do not need this legislation.

What must be preserved is the individual liberty of those people who signed a contract to work and serve individual boards across the province. They now find that the terms of those contracts are altered by a frantic minister.

The teachers in my area are not irresponsible, militant and radical. If I may use

the term, I believe they are conservative and responsible in their attitudes. I am quite sure that many of the teachers in my area who have handed in their resignations have not done so without a lot of soul searching before they signed their names and submitted their resignations.

I understand a mediator has been appointed for my area. I am sure that all parties involved are reasonable, and no doubt a settlement could be reached without this legislation. I have faith in the teachers and the board. The minister should withdraw the bill at once.

If this is not done, it should go to the standing committee to give the involved people a chance to present their views, and more time for this minister to consider withdrawal.

I am sure, Mr. Speaker, our students would continue to receive an education without this amendment to the Ministry of Education Act, so I must oppose it with my colleagues.

Mr. Speaker: The member for Lakeshore.

Mr. Lawlor: Mr. Speaker, the minister comes dripping in, his hair combed sleek. I thought we would get off on a proper poetic note, indicating the general temper of the times, the mentality of the minister and the general lack of education in the Ministry of Education. This prating peacock, this dripping crocodile-tear-weeping minister with his—

Mr. Speaker: Order please.

Interjections by hon. members.

Mr. Lawlor: What do you mean "order"? I am perfectly justifiable within the rules.

Mr. Speaker: You have been ruled out of order.

Mr. Lewis: Those are the kindest words that have been said about the minister.

Mr. Lawlor: The crocodile-tear-dripping minister, rubbing his hands into futility over the little children of the province, prating morality. It really suits him down to the ground, doesn't it?

This is a particular kind of flannel-mouthed nonsense that we have. He knows that there is no morality. He knows there is no such concept as morality for anybody unless there's a certain concept of freedom involved at the same time. At the centre of any moral theory is voluntariness, the ability to make a choice, the ability to make up one's mind. The minister preserves that choice to himself. He wipes it out with respect to others.

Mr. Lewis: Just absorb this!

Mr. Lawlor: There are people and philosophers who are prepared to go this far: That the only reason for morality, not just because it is substantial to the content, right at the centre of the decision-making thing but the end product, is to confer freedom. And to the degree that it does that, then it is a moral action. And where it fails, and where it truncates, and where it constricts human beings, as the government is presently doing, to that extent the action is immoral. And when I have to listen to the minister, day after day, with his damn morality, with his—

Interjections by hon. members.

Mr. Lawlor: —pretensive and fustian nonsense.

Mr. Irvine: Settle down.

Mr. Lawlor: The presentation of it; well really his philistine attitude.

Interjections by hon. members.

Mr. Lawlor: Thomas Carlyle would turn green with envy.

Mr. Lewis: Thomas Carlyle; he ran for the Tories in Scarborough East in 1959.

Mr. Lawlor: Let me tell members this.

An hon. member: Is the member for Lakeshore all right?

Mr. Lawlor: The member for Lakeshore never felt better in his life.

Mr. Lewis: That's right.

Interjections by hon. members.

Mr. Lawlor: I have reached, at this point in my life, the ecstasy of sobriety; And let me tell you, that's something that is very seldom experienced.

Mr. W. Hodgson (York North): Christmas is 12 days away.

Mr. Lawlor: Some people have to drink an awful lot to achieve that state.

Mr. McIlveen: Now hear this.

Mr. Lewis: Keep quiet. The member for Oshawa should remember his constituents.

Mr. Lawlor: As a tribune for those who cannot speak for themselves, let me say that I think the reason behind all these camouflages, these various forms of subterfuge utilized by the minister, was to use the 16 boards as a triggering mechanism, really, to come down with a clout, or really to move in. He has been sitting there waiting in the bushes, month after month after month. Well we have been anticipating this.

The minister waited for this particular eventuality; an instrument out of the void, so that he could move in. It's a pretext and a pretence; and the basis upon which this legislation is being brought forward is a subterfuge before the House, and I think it should be well known to this effect.

But going behind that, this process has been going on for a long time. It's been somewhat of a war of attrition. I got this distinct and detectable feeling three years ago, after the Premier had disappeared from the education scene—the open-handed spender and the capitalization expert. The government of Ontario did certain studies in the province, and through certain of the graduate schools in California, as to the cost-benefits of education, as these utilitarians, these creatures of expediency, and these hard-buck experts are wont to say.

On the basis of these particular studies, they came to the determination that education, far from making the province in monetary and material terms far more affluent than any expenditure that was placed in this field, on the contrary didn't pay off in hard monetary terms. This is particularly true about the university community. And the basic studies done at Queen's University have influenced the mind of this ministry.

At that particular stage, with these particular studies having been submitted, the whole mentality, coloration and hue of the Ministry of Education and the Ministry of Colleges and Universities changed overnight. And from that point on there were restrictions, there were ceilings, there was a cutting back and down on educational spending. The whole notion of education went out the window, as far as the government of Ontario was concerned.

It simply wasn't expedient. It didn't pay off in terms of jobs, in terms of the inflow with respect to the turnover in the tax picture; and therefore it was retrograded, since it had no central efficacy in the overall budgetary life of this province.

We are now suffering the consequences. They are pulling back constantly, and will continue to pull back. They are presently convinced, philistines that they are, that it doesn't really increase the gross provincial product by any appreciable or measurable extent, but on the contrary is a kind of retardation of that product. Therefore, they are not prepared to spend any more money in this particular field.

It has reached the lowest level of priority over against any other number of things, such as highways, transportation—but, God help us, not the prisons; that is even lower down on the priority list. But in the overall expenditure estimates of this province, education has now reached about the fifth or sixth level; whereas previously it stood at second or third.

And it certainly, in my opinion and in the opinion of this party, ought to stand in its former position if we are to have a fulfilling, ongoing, worthwhile life. And it does not now. It has degenerated over the past five or six years, and particularly in the last three; particularly since the current minister was appointed. Things have degenerated apace; and we have watched it go down.

I think that is the basic motivation that lies behind the legislation, apart from the government's Tory patricianism where it thinks that the imposition of order, coercion, restriction, restraint and oppression is the proper way to govern in any event; that it will keep people in line no matter what.

And again, how little insight it shows into either inter-human behaviour or the contemporary modalities in education, in terms of encouragement, in terms of living with people, in terms of empathy, in terms of persuasion. No, it is always the heavy clout and the hard hand. In highways legislation, in the business of safety legislation, it is "Imprisonment"; "Put the screws on them." If we could only bring back the torture chamber.

Mr. Breithaupt: And the rack.

Mr. Lawlor: That's the whole mentality. I have listened to it for six years now in this House. It is always the resort to oppression, coercion, and repression that is the final appeal of the government. I had a bad dream the other night.

Interjections by hon. members.

Hon. Mr. Grossman: He's having one now.

Mr. Lawlor: I said I could no longer stand the strain of this imbecile House.

Hon. Mr. Grossman: Holy cow!

Mr. Lawlor: I said to myself, in the depths of my dream and my unconscious welling-up, with all its glorious amplitude and leading one's full life—

Mr. McIlveen: I have got to listen to this. Carry on.

Interjections by hon. members.

Mr. Breithaupt: Public Svengali-ism.

Mr. Lawlor: How could anyone with an iota of common sense stand this assembly? What a ridiculous party that really is.

Mr. E. J. Bounsall (Windsor West): When the hon. member for Oshawa believes in selective breeding.

Mr. Lawlor: If he only would.

Mr. Breithaupt: Only retroactively.

Mr. McIlveen: That's right. There are a couple of guys I would have corrected.

Mr. Lawlor: Where if one mentions the name of Haeckel everybody looks dumb.

Mr. Lewis: Unless you told them where he ran.

Mr. Lawlor: Everybody completely blanks out. They think the height of intelligence in this chamber is Marilyn Monroe as depicted by the New Yorker.

Hon. Mr. Grossman: Don't look down on her.

Mr. Lawlor: I won't look down. I'll look straight ahead. But it is unbelievably obtuse.

Hon. Mr. Grossman: I know the member is a great intellectual.

Mr. Lewis: That's right and I accept that.

Mr. Lawlor: I know he is. I know he is.

Interjections by hon. members.

An hon. member: What about the dream?

An hon. member: We want to get to the end of the dream.

Mr. Lawlor: I'll carry on with my dream. And I dreamed I resigned. I submitted my resignation.

Interjections by hon. members.

Mr. S. B. Handleman (Carleton): We will accept his resignation.

An hon. member: That's a bad dream.

Mr. Lawlor: Yes. And I said thank God, I'm relieved of all this. Now I can become a free human being, develop my intelligence, begin dancing, enjoy life, enjoy other human beings, not all this atavism, this all going back, etc. I resigned! And do you know what they did—in my dream now?

An hon. member: They accepted it.

Mr. Lawlor: They passed a bloody bill! They said I couldn't resign!

Interjections by hon. members.

Mr. Lawlor: And I said, gentlemen, this is a fundamental breach of my liberty! I really want to get out of this place!

Interjections by hon. members.

Mr. Lawlor: And you know, Mr. Speaker, they turned around and they were full of civil liberties and jaws just flaking out in places, and they said: "All right, I'll tell you what we'll do. We will make it humane and we won't breach the rules. We'll let you resign on Aug. 31 next year." And I said, "But I want to resign now. I can't go on any longer. I'm strained to my very marrow."

Interjections by hon. members.

Mr. McIlveen: And that Tory gallows was just waiting for you.

Interjections by hon. members.

Mr. Lawlor: And it wasn't only that. That is only the beginning. They said if I persisted in my nefarious purpose they would fine me up to 500 bucks for wanting to get out of the place.

An hon. member: That is the dream.

Hon. Mr. Grossman: We are willing to pay.

Mr. Lawlor: I twisted and turned in some kind of anguish in my bed of pain. I said "Can it be true that they would actually impose a fine?" I thought they would be very pleased to get rid of me. After all, at the present going rate — and I counted this up in Hansard the other day—if they imposed a fine anywhere commensurate with the number of words I expend upon this hopeless assembly — I think it is one cent every 50 words—a $500 fine would represent several million words, wouldn't it?

Mr. McIlveen: We would—

Mr. Lawlor: That would be a gross fine. That would be an affliction; it wouldn't be fair.

Mr. McIlveen: We will all chip in.

Mr. Lawlor: I was thinking of the poor member for Ottawa Centre. He only gets—it would cost a bloody fortune. Seventy-five words for a cent.

Mr. Lewis: They'd be bankrupt.

Mr. McIlveen: The member has to sit beside him.

Mr. Lawlor: They'd be bankrupt. He'd reverse it.

Mr. Breithaupt: We will give them a group rate.

Mr. McIlveen: Now, where were we?

Mr. Lewis: Then the member woke up.

Mr. Lawlor: No, then the final moment of the dream came and I discovered that the bill wasn't all that impressive. It was only a private member's bill, moved by the member for Algoma. He wanted me to stay. He was fine, thank you very much, even if it was only somewhat somnambulant, somewhat mirage-like. So he and I being old friends together, we will stick—

Mr. B. Gilbertson (Algoma): He owes me some—

Mr. Lawlor: I do. I will remember that.

A private member's bill, as we all know, means absolutely nothing and so I am here tonight, still prating, still trying to make some slight indentation upon the somewhat impervious minds of numerous members of this House, with particular direction to the Minister of Education.

Mr. Lewis: That is the most impervious mind of all.

Mr. Martel: He hasn't got one.

Mr. Lawlor: But this all changed, curiously enough, under the impress, as my friends have pointed out in the last several days, of the Globe and Mail.

The previous legislation said the resignation was void. Then came the people who used Junius' letters and quoted "the subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures." I, being truly loyal to the chief magistrate, wouldn't dream of submitting to arbitrary measures.

That being the case the whole thing stuck in my craw. The minister can't void a resignation. It is a fundamental right; if I want, I can go out and starve to death; I can live under bridges. Surely there is some kind of elbow room left in this society?

Curiously enough, the Globe and Mail, which at times has this particular ilk, this sense of civil justice justice, slapped—kicked him in the ass—kicked the minister and said, "You can't do this. All wrist holds barred."

It said in a single sentence, "No government should have the power to forbid any individual to resign from his job." With that single nostrum, those few short phrases, the whole coloration of the ministry changed. It changed the section in the statute.

What kind of Ministry of Education has so little depth, so little insight into the workings of the society, its history, its tradition, its fundamental liberties, its sense of civil decencies that it would embody legislation in the first instance in this way and has to be warned by a damn newspaper that it must alter its legislation and only at that particular stage does so? What sort of mentality has the minister got?

Hon. Mr. Grossman: Mr. Speaker, the member is being provocative.

Mr. Lawlor: He is supposed to be the mentor.

Mr. Foulds: He is also being very acute. Why doesn't the minister listen?

Mr. Lawlor: He is supposed to give some leadership in these matters.

Let me say some of the least educated people in the province inhabit that ministry, obviously. They have so little sensibility to the niceties of the realm that they come forward with this kind of blatant thing. Does the minister blanch? Does he change colour? Does he think his legislation in all counts is equally nefarious and stupid and running adverse to the constitution as that particular clause that I just mentioned shows it to be?

The whole thing, throughout its depth or throughout the length of the legislation, is equally perverse. That sort of mentality pervades the whole scene of the legislation and in this particular regard must be called into question. The minister himself acknowledges it, because he's had to amend every clause all the way through in order to bring it into line.

What he does is again use a subterfuge. He shifts his ground. The government

doesn't do what the Globe and Mail tells it to do in this particular case, which is to declare them all strikes. What it does is simply say that it will thrust it into the future with the same effect as it presently has and with the same truncating of human liberties that is involved in this thing.

Why is it that the members opposite, the descendants of Edmund Burke, people who are supposed to be the progenitors of certain basic liberties — some of which we fundamentally disagree with and some of which we have severe reservations about in the contemporary world as doing great harm to many people but blessing a privileged few—why do those members opposite who hold that position act as the fulcrum in this society for a new despotism?

And this is a new despotism that the government is bringing into being. The teachers were deprived at an earlier time of the usual instrumentalities, and now the last thing they had left—the last shirt, so to speak, that they wore, many-coloured as it may be—was the business to withdraw their services under anguish, as has been pointed out earlier this afternoon in this House, many of them with their fingers sticking at the pen because their life's work was on the line.

The government forced them to that line and then it even closed the door on their fingers at that particular point. It is inducing a state of slavishness. It is cutting off fundamental liberties. And why does the government which has this heritage, for heaven's sake, which it ought to respect, bring in a kind of despotism, a kind of arbitrariness which has enormous implications for the future of this society?

It is bringing it in all along the line. It brought it in with the civil service association. I'll never forget the afternoon that my colleague and I sat, virtually alone, downstairs in that committee of this House, when the bill imposing compulsory arbitration, without any rights of negotiation of working conditions at all, was brought down upon the civil servants of the Province of Ontario. They sat mute in their seats and we tried to speak on their behalf and say, "Come forward, speak! We will fight for you, we will do our best; we will strain ourselves." And we did, hour after hour to no avail.

But thank God the teachers at least have risen. They are speaking, and we are speaking with them, and there is a kind of combination here.

What is happening now with the Civil Service Association of Ontario, when I read their bulletins that are sent out to us all the time, is that they regret their past. They say, "Why didn't we raise our voices when the time was imminent and right?"

Mr. Martel: They were sold out by their leaders.

Mr. Lawlor: The government flummoxed them! It must have used great pressure on their leadership. It kept them under a blanket and they have been subverted and they have been rendered passive and supine. And that's what the government wants to do with the teaching fraternity of this province.

But they have much too much sophistication for that, and they are much too aware in their own classrooms of teaching the problems of the fulcrum and the workings of society and the turbulence that goes with democracy and always must be present—the sense of movement; the sense of vitality; the sense, if you will, of disorder. And this government that loves order so well—only in terms of a certain disorder.

Even anarchy is human progress advanced an inch. People must stand up against governments. They must thumb their nose at the government opposite, because it is just the kind that will bring its heavy hand to bear and settle it all by its mandate and by a simple restriction. They think that by a stroke of the pen they can rule people; they can't, and they are going to learn that, much to their disadvantage. This minister's particular way of handling things speaks of impersonality and of failure to understand the mood in context of the time, the whole business of intersubjectivity, the whole business of how we have to live together and listen to one another's problems and bear them and put them to work and not to impose solutions from above, which is inadmissible in the contemporary context.

The trouble is basically that the government has been too long in power. I don't impute any particular malice to the individuals over there. I have been friendly with them for too long and watched them in the House. It's just a creeping disease; it is a disease that has been noted by any number of people. Lord Acton said it was inevitably corrupting, and it is. People ought not to remain in office very long; it doesn't do them any good. They don't know it themselves, but they overreach other people; they become overbearing; they think that somehow they have been anointed by the Lord—

Mr. Irvine: Don't talk that way.

Mr. Lawlor: —that the oil runs off them on to the ground; that everyone ought to bow their head as they pass them in the hallway. These things all take place, it's true. It's true about judges; it is true about most of the good men I have met in my life who have been given too much authority. Most people aren't able to absorb it; therefore, they fall into the grossest form of corruption, namely pride. And this is a proud government; it thinks it knows best under any circumstances—

Mr. McIlveen: As the member found out over the years.

Mr. Lawlor: —and immediately moves in on any situation, imposing a very heavy hand. It all tends to autocracy, to the new despotism. It was promised to men, and that's why we have to speak perforce—and to speak, if I may say so, at some length. If we do not, it seems to me there is a dereliction there somewhere, that we must drive it home to this government, however nauseating it may appear to them.

In my opinion the teachers on their side of the fence to some degree have been seduced by a notion of professionalism, and the thoroughly justly reviled report appeals to this particular sentimentality. Being a so-called professional myself, I know how little work it all really is; it is a pretensive posture which men confer again as a medal on themselves in some form of vanity, and this type of vanity has emasculated the teaching organizations of this province.

As a young lawyer, I was employed by a man who I think would be proud to have his name mentioned in this House, Dan O'Donohue, whose father, curiously enough, was a member of this assembly back in the 1890s and introduced the first mechanics' lien legislation in the province. He was a Socialist, or as they called them in those days, a Labour member of this assembly.

He was a deft fellow, and a thorough professional. He taught me my first lessons in professionalism and how really threadbare much of it is. One of his nostrums may incidentally interest the minister as a sideline to professionalism. Dan used to tell me as a young lawyer that if one was really a professional one never said "thanks" to anybody, that the professional was the man who conferred the blessings—

Mr. McIlveen: A strange criterion for professionalism.

Mr. Lawlor: —that everybody should be damned glad to get the services. He had trained himself to a high degree of expertise, and they said thanks to him and he never said thanks to anybody. That was one of the nubs of the thing.

Mr. McIlveen: A strange criterion for professionalism.

Mr. Lawlor: At this particular stage, my mentor, my amanuensis, came very close to the exhilarated or enlightened amateur because, with all this professionalism, he didn't make very much money. First of all, saying thanks to nobody didn't particularly win their esteem or gratitude or the return of the clientele. Having let them know what a superb professional he really was, in most instances they found that a little overbearing and went elsewhere where they would find, perhaps, a more direct type of American lawyer who says thanks to everything.

Mr. Speaker: I'm trying to detect some relevance to the bill but I haven't been able to.

Mr. Lawlor: Mr. Speaker—

Interjection by an hon. member.

Mr. Speaker: That it is.

Mr. Lawlor: The central report of this matter is the Reville report. He spends most of his time talking about some empty myth called professionalism as the basis upon which teachers ought not to join unions, ought not to strike and ought not to make demands—

Hon. Mr. Grossman: That's the connection.

Mr. Lawlor: —for their fundamental rights because they were too bloody professional to do so. That's my revered memory of Mr. O'Donohue. He lived to regret that. He died rather poor, bless him, and so will the teaching profession of this province if they don't forget a little bit of their professionalism and get down to brass tacks.

Mr. McIlveen: True.

Mr. Lawlor: The appeal to these ideal entities, these floating phantasms out there, will get us neither here nor there. I want to say to the teachers tonight that when we pick up the cudgels on their behalf in this House we are not winning votes for ourselves out there. We know that. We're not making anything particular out of it. No,

sir. For every vote we win we're losing one, too. Let's be frank about it. But this is a question of principle.

We think they're on the right line. We think they should be supported. We think despite all this pseudo-professionalism they have fundamental rights and should coalesce among themselves in the form of collective entities and go to bat. They're finally doing so and we're so gratified and grateful and delighted to see this taking place that we're willing to give them our full support come what may.

An hon. member: A most unfortunate dilemma.

Mr. Lawlor: The legislation itself, if I may turn to it, seems to me—

Hon. Mr. Grossman: He might turn to it at last.

Mr. Lawlor: —open to a number of conflicting interpretations.

Mr. R. F. Nixon: He's not reading it for the first time, is he?

Mr. Lawlor: One of the ones—yes, I'm reading it for the first time. Why would one bother otherwise?

When I read the education bill there was a startling effect of the novelty of the whole thing. Members appreciate that. "Resignations submitted [I'm reading the old stuff which is only so old it is scarcely dried on the page but there it is] on or after the first day of September 1973 by teachers employed by a board in concert, or in accordance with a common understanding—"

My friend spoke about the business of conspiracy being imported into this legislation, criminal conspiracy. It is a hoary, decadent backward appeal; when Crown attorneys and the law fail on every other count to establish a criminal offence, or any kind of offence for that matter, they always turn to conspiracy as the last dregs of the criminal process. The government turns to it first, of course. That is its field.

Mr. Martel: That shows the minister's mentality.

Mr. Lawlor: That's the high quality of the education ministry in this province and the minister himself.

"—for the sole purpose of strengthening the negotiating position are void." It struck me, and I thought of McRuer, and I said, "My Lord, that's a subjective judgement." Imagine. "For the sole purpose of strengthening the negotiating position." If I were in court and I were one of the teachers I would say, "My sole purpose wasn't to do that at all, Mr. Judge. My sole purpose was to argue with my husband all morning because we so much enjoy doing that together."

Or: "My sole purpose in being away from school on that particular day was to try for the first time to come into some rapport with my totally bedizened 13-year-old daughter. You know what 13-year-old daughters are like these days. My God, that is a full-time job.

So you get a mixed purpose. Who can say what are the sole purpose of the teacher and the possibilities for the teaching establishment in terms of sheer imagination as to what other things they might be off work about and what might reoccupy their time? I offer to them the fullest gratuity. There are the fullest possibilities.

Mr. Handleman: With no intention of going back.

An hon. member: Oh, he will come to the bill again.

Mr. Handleman: Without intending to go back to work.

Mr. Lawlor: I would even recommend that as the sole purpose they were out walking the dog.

Mr. Handleman: Without intending to go back to work.

Mr. Lawlor: The teacher might say, "Mr. Judge, I had two reasons. One is the dog had to get out to see a tree and the other one was that I wasn't going to work under the terms imposed upon me."

I hope the point about the legislation gets it. I don't think it will work, thank God. I think it is pretty weak stuff.

Mr. Handleman: The member should qualify.

Mr. Lewis: A shambles over there.

Mr. Lawlor: The minister really must have worked on it overnight to come up with a thing like that. On a more serious note, I would like to mention something that has to do with what my friend from Riverdale brought to the minister's attention. He said it's the penal or criminal law sanctions imposed through this legislation which are basically civil legislation bringing in federal powers in order to bring the full coercive weight to bear.

On the question of the constitution, he claimed and I claim that the legislation is both illegal and unconstitutional. This is the first time in the history of this province that a government has tried to make criminals out of its teachers. It has brought the full force of the criminal law upon the teaching fraternity. I think that's a travesty. I think that's a very serious thing for the government to move in on in this particular head. Does it really wish to render them criminals? Does the minister wish to do this within the ambit of his department, which is concerned, I thought, with things of the mind, although I haven't been particularly touched by that context? I haven't noticed any things of great spirituality or mentality or the drive of the intellect being particularly present in the ministry or in any other way.

No wonder the whole educational assemblage is in a state of apathy and disrepute because of the minister's failure to respond. He was standing up here boasting in the House on a previous occasion that we had to listen to him. He was talking about what a really illiterate fellow he really was, and saying that it all meant so little and look what a fine fellow he turned out to be and how the whole world sits askance at his presence. The minister doesn't really need to go through the schools. Probably it is better for him not to be exposed to that particular kind of perfidy. It might just possibly widen his mind a little.

In that particular head I think the minister has done the gravest disservice to the teachers of the province by imposing this particular criminal intent. So throughout on all counts, in one after the other, we will then proceed to scapple this legislation clause by clause, however many times he may amend it. I, too, will finally lend my voice in an appeal to the minister and to the government.

I think the minister is obtuse and impossible. I would ask the other members of this House—the Minister of Revenue, Mr. Speaker who smiles over there on occasion and others—to bring their weight to bear to have this legislation withdrawn and bring this particular debate to an end because the government is certainly going to regret it on all future occasions.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. Ruston: Mr. Speaker, I wish to join in this debate. Since it has been going on for some time, I suppose anything that is said now will be repetition and probably not make too much effect on the minister. Sometimes a debate gets to the point of frivolity and laughter and so forth, and we are wondering just how sincere some of it really is.

What I am concerned about, and this has been mentioned previously by the member for Sarnia, is the taking away of the rights of a legal contract signed in good faith by the teachers and the boards. Of course, not being of legalistic mind, I suppose I shouldn't discuss this, but I always think that the intent of what is in a contract and the intent of the person signing a contract are sometimes more important than the actual law. In other words, if a teacher in good faith signs a contract effective to a certain date and the board accepts it and signs it also, then I think there is a responsibility to allow that to run out to the end, without the government bringing in special legislation in effect to extend it for eight months.

What has probably caused some of our problems, as I mentioned before, is the former Minister of Education, now Premier. In the 10 years or so that he was Minister of Education, there was never any worry about funds. They were building schools and supplying the equipment in them without any thought about where the money was coming from, I guess, and building them large. Then they started realizing, I guess, that they were spending too much money.

They built a large school in our area, I think around 1962 or 1963, and it was a beautiful large school. Someone said to one of the clerks of the municipality, an old gentleman who had been around a long time, "Well, that's a beautiful school. Nice and large." And he said, "Yes, it is. It's about the same as someone giving you an elephant and then you've got to feed it."

Well, I suppose that's what happened to our schools. They are serving a purpose in most areas—a great purpose—but I think that our education has failed to a degree in the last few years. I think it has got top heavy with administration.

If one looks through the books of the public accounts, one sees that the Ministry of Education never really cut down its costs at all. In fact, it has increased them since county boards of education went into effect, and yet the county boards have pretty well sole responsibility for operation of the schools in those areas. One would have thought that when that legislation was

brought in, the cost of the administration here in the Ministry of Education would have gone down, but that isn't what happened.

I have always been of the opinion that the taxpayers of Ontario are willing to pay teachers a fair wage. I have always been of that opinion and I don't think they should have to take their grade 13 and then their two or three years or whatever it takes to get their BA and their teacher training, and then start at a rate of $7,600 a year. I don't think this is fair.

I think if one wants to go into some automobile factories and so forth one finds the rate of pay starts at about $9,000 a year and the worker doesn't necessarily need more than a grade 10 education. So I don't think we are paying our teachers, especially for the first few years in their profession, nearly as much as they are worth, or what they should be worth, I'm sure.

Like everyone else, I have a large number of telegrams. Mr. Speaker, I have just four or five here and I don't think it's necessary to read them.

Mr. Irvine: No.

Mr. McIlveen: No.

Mr. R. F. Nixon: I want to hear them.

Mr. Ruston: I think the intent of them is fine. I would raise this as it is so close to my area and is named after a great gentleman in our area, the Dr. S. F. Millen school. Since he was medical officer of health for the townships of Rochester and Maidstone for 55 years, I think I will give him recognition first—I might say he was a great Conservative all his life—but he passed away, bless him. Anyway, he was a great gentleman in the community and he would be appalled at what is going on here in Ontario now. I can tell members that.

The telegram says:

WE ARE PROTESTING THE PROPOSED LEGISLATION, BILL 274, WHICH DENIES TEACHERS' RIGHTS TO MASS RESIGNATION AND WILL IMPOSE UPON US COMPULSORY ARBITRATION.

It is signed by the staff of the Dr. S. F. Miller Public School.

We also have a telegram from the staff and principal of the Maidstone Central Public School; the Bell River public school; the teaching staff of the Puce Public School. Some members probably wonder where Puce is but it is a very common name in Essex. It doesn't even have a post office right now but it's rather an interesting place; they always give what the temperature is at Puce every day so apparently it has had some recognition for a long time.

Mr. Haggerty: Needs an ODC loan.

Mr. Ruston: And the staff of the J. A. Dowswell Public School.

Mr. J. Riddell (Huron): Puce recognizes this bill as being puny.

Mr. Ruston: Right. Mr. Speaker, what I think really should be done right now is the minister should withdraw the bill and allow the arbitration procedure and the mediation which has been started in some areas with members of the staff of the Ministry of Labour to carry on. He should withdraw the bill and allow this process to carry on.

If he is not willing to that—and I suppose he is not as we have offered that opportunity to him—I think he should adjourn this Legislature until Jan. 8 right now and we'll see what happens until then. Let them negotiate until then. Let them have an opportunity to come up with some kind of a settlement. If at that time the teachers are on strike I guess it will be up to the people of Ontario to decide what action they want and we as legislators will be willing to accept that responsibility and carry out our duties as legislators.

Hon. Mr. Grossman: It will be up to the member. What will he do then?

Mr. Speaker: The hon. member for High Park.

Mr. Lewis: This is unity. I want the government to know this.

Interjections by hon. members.

Mr. Shulman: Mr. Speaker, the Conservative back-benchers are quite correct; I haven't spoken very often this term in the Legislature.

Interjections by hon. members.

Hon. Mr. Grossman: Why break the record?

Mr. Shulman: It was the unutterable stupidity of their actions yesterday, as had been shown by the minister and by his leader to my amazement. I understand the minister perfectly well. He is right on form as he has been in all of his departments. He is carrying on as well as he has ever done; at the

same level of excellence he is always showing.

Hon. Mr. Wells: Here comes the personal attack. That is all the member knows.

Mr. Lewis: Not at all.

Mr. Shulman: That's a compliment, my surprise.

Mr. Lewis: It's an assessment, not an attack.

Hon. Mr. Wells: Personal attack.

Mr. Shulman: I'm not going to give any poems but believe me I'll be much nicer to him than my compatriots.

Interjections by hon. members.

Mr. Shulman: Mr. Speaker, I can't understand what has so exercised the government. What have I said to upset the members? I haven't even begun.

Hon. Mr. Winkler: The only person the member compliments is himself.

Mr. R. F. Nixon: They should be exorcised.

Hon. Mr. Winkler: It is the first time he has been here for weeks.

Mr. Shulman: Mr. Speaker, this is the second time this session, when I have been so stimulated and so upset that I was forced to enter the debate to try to bring some sanity to the government.

The first time you will recall, Mr. Speaker, was when the Treasurer also committed a little booboo for the government. But he had enough wit to recognize it and to back away before it was necessary for him to resign. I fear the Minister of Education has gone just a little bit beyond that point.

In the remarks I'm going to make, I'm not going to address the Minister of Education. I have noted—it is rather interesting—if one looks across the floor to the government benches everyone is paying attention and everyone has been paying attention all night to all the speakers with one exception—the Minister of Education.

Hon. Mr. Wells: I have been listening.

Mr. Shulman: He has been busy writing, he has been busy reading, he has been busy talking. He has been busy doing everything except paying attention to the arguments which have been presented to him.

Interjections by hon. members.

Hon. Mr. Wells: Mr. Speaker, on a point of personal privilege, I have listened to every speech. I am probably one of the few members who has been in the House for the complete debate and listened to every speech.

Interjections by hon. members.

Mr. Lewis: It is his bloody bill. He should be here.

Mr. Foulds: Mr. Speaker, on a point of personal privilege.

Mr. Speaker: Order.

Interjections by hon. members.

Mr. Shulman: Mr. Speaker — calm yourselves, gentlemen, calm yourselves. I haven't begun yet.

Mr. Speaker: Order.

Mr. Shulman: Mr. Speaker, the minister is perfectly correct; he has been here. We can all see that. The objections I was making—

Hon. Mr. Wells: I have listened.

Mr. Shulman: —was he has not been paying attention but perhaps he was doing the best he could.

Hon. Mr. Wells: Mr. Speaker, the hon. member, if he is a gentleman as he says he is, surely accepts my word when I say I've been paying attention.

Mr. H. C. Parrott (Oxford): He is not.

Mr. Shulman: I never claimed to be a gentleman, but I do accept his word.

Mr. Speaker: In view of the hour, perhaps the hon. member would like to move adjournment of the debate.

Mr. Shulman: Mr. Speaker, I haven't begun.

Interjections by hon. members.

Mr. Speaker: Order, please. I assure the hon. member he will be the first speak tomorrow.

Mr. Shulman moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Winkler: Mr. Speaker, I regret that because I was prepared to sit after 10:30 to listen to the hon. member, but the House has decided.

Interjections by hon. members.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Ontario

Legislature of Ontario Debates

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Third Session of the Twenty-Ninth Legislature

Friday, December 14, 1973

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 14, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

Oral questions: The hon. Leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Thank you, Mr. Speaker.

Mr. T. P. Reid (Rainy River): That's a thin bench over there.

ALLEGED AIR POLLUTION FROM METAL COMPANIES

Mr. R. F. Nixon: In the absence of the Minister of the Environment (Mr. Auld), I would like to ask the Provincial Secretary for Resources Development what action the government intends to take in light of the new information concerning the pollution of heavy metal lead by Canada Metal Co. Ltd., where it is indicated that of 500 people recently tested in the area, 10 have a lead content in their blood of more than 50 parts per million, and at least one man has a lead content of between 150 and 200 parts per million? Will the policy of the government be that the Canada Metal plant shall be closed forthwith, or are we going to continue fiddling with this for another year?

Secondly, how is he going to respond to the requirement put forward by Toronto city council that the air management branch of the Ministry of the Environment should be investigated by a royal commission because of the ineffectual way in which it has dealt with this matter?

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Mr. Speaker, I think the detail of that question and the scope of the question really require a response from the minister himself and perhaps a response from the Minister of Health. Mr. Speaker, I won't purport this morning to answer it, but I'll certainly ask that the Minister of the Environment be prepared on Monday or Tuesday to do so.

Mr. R. F. Nixon: I would like to direct the question, then, to the Minister of Health. Since the area of concern now moves away from the environment and into his jurisdiction, is he going to use the authority that has been given to him by the Legislature and apply it, through the medical officer of health, to see that Canada Metal is closed, so that we can be assured that this pollution is not going to continue in view of the recent test results which evidently were made available to the Toronto city council last night?

Hon. R. T. Potter (Minister of Health): Mr. Speaker, I intimated to the House some time ago that Dr. Parkinson from the Sick Children's Hospital, who is very concerned about this matter, has met with me and with members of my ministry who are responsible for this particular part of the health field. At that time, I assured him of my concern and my determination to work very closely with him on this matter. We've been doing that ever since. I have not been advised by him or by the medical officer of health that there is anything more we can do at this time. But if it is necessary, and if we find it is necessary to do that, then I'd be very pleased to move in the proper direction to do it.

Mr. R. F. Nixon: A supplementary: When the minister says there is nothing further that he can do at this time, then he feels the level of pollution is not hazardous to the people living in the area, because if it were hazardous or if he felt it was, as the people in the area certainly do and the Toronto city council certainly feels it is, he could take action under the powers granted to him by this Legislature to close the plant, pending the changes that are being brought forward at least to lower the level of the effluent.

Hon. Mr. Potter: What I'm saying, Mr. Speaker, is that Dr. Parkinson and the others who are actively involved in this, and who are making every effort to determine whether or not it is a hazard, have not yet brought to my attention that it is. So the information I have had made available to me would

not indicate there is any reason for me to move in at this time.

Mr. R. F. Nixon: A supplementary: Does the minister feel that with the reports that are available this morning he should take an initiative in this matter and not wait for his officials to inform hm, since the Toronto council and others are very much concerned at the lack of initiative by the administration, particularly by the Ministry of the Environment? I would like to direct a question to that minister who has now taken his place, if the Minister of Health does not choose to reply further.

Hon. Mr. Potter: As I have already stated, Mr. Speaker, I have taken the initiative by meeting with Dr. Parkinson who is very actively involved in this, as the member is aware. I am confident that if there was anything there which I should know about he would have brought it to my attention by now, and he hasn't done so.

Mr. R. F. Nixon: A supplementary: If the minister asked Dr. Parkinson for an opinion, following the release of the information last night, surely he cannot delay action on an emergency matter such as the one put before council last night?

Hon. Mr. Potter: Obviously I haven't been in contact with Dr. Parkinson this morning.

Mr. R. F. Nixon: Why not?

Mr. S. Lewis (Scarborough West): Why not? What does the minister do with his mornings?

Hon. Mr. Potter: I have been dealing with Dr. Parkinson before and there was an understanding that he would keep me informed. If there was information he thought I should have had I feel confident I would have had it long before now.

Mr. R. F. Nixon: I think the minister has got to show more energy in this.

I would like to ask the Minister of the Environment a similar question. I am not sure whether or not he heard the question but basically it deals with Canada Metal. What action is the Ministry of the Environment going to take in view of the information released to Toronto council last night?

Second, on probably a less important level; since we are concerned about the effluent, what is he going to do about the demand for a royal commission investigation into the air management branch of his department which the Toronto council feels, as do we all, has handled this matter in a most inept and perhaps even dangerous manner?

Hon. J. A. C. Auld (Minister of the Environment): Mr. Speaker, to deal with the last question first, as far as I am concerned I simply repeat what I said on Nov. 12 in this House when I gave a somewhat brief statement of the accomplishments of the air management branch since it was set up.

Mr. R. F. Nixon: I don't want to hear that again. He is not going to give us that again.

Hon. Mr. Auld: The situation that exists at Canada Metal, for example, is a result of planning mistakes made decades ago. Zoning and planning are, as they were then, municipal responsibilities.

The Canada Metal plant has been in its present location for over 40 years. For most of that time, the city was responsible for it from a planning standpoint, from an air pollution standpoint through its own air pollution control section, which I think was set up some time in the middle 1950s; and from a medical standpoint through the local board of health.

The fact is the only group which has accomplished anything, or even asked for any changes to be made regarding this plant, is our air management branch.

As far as the decision made by the committee of adjustment is concerned, we are quite happy with it. The only thing which does concern us is that as a result it has probably caused some delay in the completion of the final part of the director's order which now covers the plant. It is going to require some re-engineering of the equipment which is on order and the additional 200 ft of duct work required, and possible fan changes necessitated by the higher pressure drop which will be encountered because of using the existing 150 ft stack instead of the proposed new 85 ft stack. It will mean that the ground impingement results will be slightly less than they would have been with the shorter stack so they will meet—

Mr. R. F. Nixon: What about the people who were the subject of the report last night? Are they worrying about ground impingement? They have got over 50 parts per million lead in their blood.

Hon. Mr. Auld: Mr. Speaker, I don't—

Mr. R. F. Nixon: Ground impingement? The minister always answers questions this way.

Hon. Mr. Auld: I don't want to take a great deal of the time of the House to repeat what I said before. The problem we encountered was when we followed the advice of the medical officer of health and put on the stop order which was thrown out by the court. It said, in effect, we couldn't relate the blood lead levels of the people who had been tested with what was coming out of the stack. I have said, on I don't know how many occasions, that the problem obviously is one which has grown up over the years. It seems obvious that a great deal of it has come from the plant, but some of it may well have come from automotive emissions.

The problem will be solved only when the ground and the buildings around there which have accumulated the level of lead are either neutralized or removed. That's why we have the legal, medical and engineering committees looking to see how we can establish a legal relationship between the levels in the blood of the people around there and what is presently coming out of the stack or what has come out of the stack in the past.

Mr. R. F. Nixon: Supplementary. It appears, then, that the minister is going to do nothing in view of the new information that was released last night; he's not going to attempt to get a court order, which the minister in my view could sustain if it were properly supported before the courts?

Mr. Lewis: Not under the Ministry of the Environment he couldn't, it seems to me.

Hon. Mr. Auld: Mr. Speaker, after having had some experience in moving somewhat precipitously once before on the basis of insufficient information—

Mr. Lewis: The minister will never move again before he amends the Act.

Hon. Mr. Auld: —as far as I am concerned, in applying for any order under the Environmental Protection Act, I want to see the reports and I want medical and legal advice as to whether we are presently in a position to take action under our Act.

Mr. Lewis: This minister is not: the Minister of Health is in a position to do so.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, by way of a supplementary question: Will the minister do the one thing which is available to him, and that is lower the particulate level which is permitted by his ministry as part of his ambient air control; lower the ratio from 15 parts per 1,000 to 1.5 per 1,000 in accordance with the best available medical evidence?

Hon. Mr. Auld: Mr. Speaker, the present level as far as the stack is concerned is 20 micrograms per cubic metre. Our present standard is 20, we are proposing a standard of 10; and the ground level impingement may be lowered, but there is still, according to my information, some argument as to just what it should be.

Mr. Renwick: Mr. Speaker, by way of a further supplementary question, does the minister not realize that until he lowers the level to the point which is an acceptable standard to protect the health of the people in the area, he will not be successful in a court in going back to get a stop order against that plant?

Hon. Mr. Auld: Mr. Speaker, at the present time, when they have completed the order which we put on them they would have been producing from the blast furnace four micrograms per cubic metre, which is well below any current or proposed standard—

Mr. Renwick: That is exactly what is wrong.

Hon. Mr. Auld: —and from the melting and refining two micrograms per cubic metre.

Mr. Lewis: By way of supplementary: Did the minister have anyone from the air management branch at the meeting last night to put the position of the branch?

Hon. Mr. Auld: Mr. Speaker, I don't think we were invited to do so, although I believe we had—

Mr. Lewis: Everyone was invited to that meeting! The world was invited.

Hon. Mr. Auld: I understand there were some people invited from Sudbury, but I don't recall receiving an invitation myself.

Mr. Speaker: The hon. Leader of the Opposition.

Mr. Lewis: But there was no one there from the minister's branch, from his ministry then?

Hon. Mr. Auld: Yes there was, Mr. Speaker.

Mr. Lewis: I mean to make a submission on behalf of the ministry, there was someone there to put the ministry's position?

Hon. Mr. Auld: As I say, Mr. Speaker, we were not invited to make any submission; we had an observer.

Mr. Lewis: Oh yes they were, Mr. Speaker; yes they were. A further supplementary!

Mr. Speaker: This is number seven.

Mr. Lewis: All right. I'll ask it by way of a new question.

Mr. Speaker: The hon. Leader of the Opposition.

SCARBOROUGH GENERAL HOSPITAL CHRONIC CARE WING

Mr. R. F. Nixon: I have a question of the Minister of Health regarding the building of a new chronic care wing at the Scarborough General Hospital—a 186-bed wing: Is he aware of the fact that Egord Construction Management Ltd., which has the contract to build that wing, is in fact suffering from financial difficulties?

Can he assure us as to whether the contract was tendered? And is he aware that Egord Construction Co. got the contract after a company named Droge Construction got the contract first and then went bankrupt, and that Egord is Droge spelled backwards; and what the hell is going on in Scarborough in the construction of that 186-bed wing?

Hon. Mr. Potter: Mr. Speaker, the hon. member knows very well that the ministry is not—

Mr. R. F. Nixon: The ministry is paying for it.

Hon. Mr. Potter: The ministry is not building it. It is being built by the Scarborough General Hospital.

Mr. R. F. Nixon: Where are they getting the money?

Hon. Mr. Potter: They call their tenders and everything else; and I haven't any idea what is going on as far as they are concerned, with their own management.

Mr. R. F. Nixon: Where are they getting the money?

Mr. R. Haggerty (Welland South): We know that.

Hon. Mr. Potter: I have no intention of trying to dictate to hospital boards to tell them how to do their business.

Mr. Reid: We know that. That is the first true statement the minister has made. He doesn't know what is going on.

Mr. R. F. Nixon: Supplementary. Will the minister indicate how much money we are putting into the construction of that wing; and would it not be a very large percentage, if not all, of the money that is going into the construction of the wing? That being the case, does the minister not think that it is his responsibility, either to inquire himself or through his colleagues in the ministry—maybe his colleague sitting just to his left, the Minister of Government Services (Mr. Snow)—to see that our moneys are being properly spent only under public tender; and that we are not going to have one company going bankrupt and reforming itself and getting the contract again without a tender?

An hon. member: He doesn't think so.

Mr. Reid: Mr. Speaker, I wonder if I may ask, by way of supplementary—

Mr. Speaker: There was no response to the question. There can't be another supplementary, unless the minister—

Mr. Reid: Well, there may be a response to my question, Mr. Speaker.

Mr. Speaker: Well, try it and see.

Mr. Reid: Maybe I'll ask him something that he knows about.

An hon. member: It's a long shot, but try it.

Mr. Reid: It's not likely, but I'd like the opportunity to try.

May I ask the minister just how the Ministry of Health decides who is going to get assistance to build chronic wings, because in the Rainy River district we have one chronic wing in one hospital with 12 beds to serve a population of 17,000?

Mr. Speaker: Order. That is a general question; that is not a supplementary to the main question.

Mr. Reid: I thought it was a good question.

Mr. R. F. Ruston (Essex-Kent): It was a good question.

Mr. Speaker: The hon. Leader of the Opposition.

FIRE AT HOSPITAL AT ATTAWAPISKAT

Mr. R. F. Nixon: I have another question of the Minister of Health, and it has to do with that hospital at Attawapiskat which we were asking about yesterday. Is he not aware that it is an outpost hospital connected with the James Bay Hospital, which does come under the responsibility of his ministry, and any reference to the fact that the federal government should be paying for the Indians has nothing to do with the fact that the hospital has burned down and the nurses don't have proper accommodation nor facilities nor supplies? The minister can't use the aircraft to fly them in because the Ministry of Transportation and Communications has built an elevated roadway across the airstrip at Attawapiskat and the river is frozen up. I can't blame the Minister of Health for all these things—

Mr. Lewis: The member can try.

Mr. R. F. Nixon: —but the government over there seems to be getting into a worse mess every day. Why can't the minister give us some information about this?

Hon. Mr. Potter: Mr. Speaker, the hon. member, again, is wrong. The hospital at James Bay is operated by the federal government.

Mr. R. F. Nixon: What is the minister's responsibility there?

Mr. Lewis: Almost none.

Hon. Mr. Potter: For the past two years we have arranged several meetings with the former federal Minister of Health, which he was never able to keep, and I've been working with my colleague, the member serving that area, to try to come to some terms with Ottawa in order that we can, in fact, provide a new hospital there sponsored by our own government to see that the people in that area are properly cared for.

Mr. R. F. Nixon: That sounds good.

Hon. Mr. Potter: To date we still haven't been able to get any co-operation from Ottawa to come to any satisfactory arrangement to do that.

Mr. R. F. Nixon: All right. Let me ask a supplementary question. Pertaining to the emergency, and I hesitate to use that word because I presume the nurses are at least sheltered and also have a little iodine to paint on cuts, what about the supply of the Attawapiskat facility through the air facilities the province has? Surely the airstrip is our responsibility; why can't we co-operate at least in the situation as it now is?

Hon. Mr. Potter: Mr. Speaker, I can only repeat that we are more than anxious to co-operate with Ottawa in providing services into that area.

Mr. R. F. Nixon: How about co-operating with the people of Attawapiskat?

Hon. Mr. Potter: As soon as we can come to some kind of arrangement with the federal Minister of Health we will be only too delighted to do so.

Mr. Speaker: The hon. Leader of the Opposition.

Mr. O. F. Villeneuve (Glengarry): He should direct the question to Ottawa.

Mr. Speaker: The hon. member for Scarborough West.

ALLEGED AIR POLLUTION FROM METAL COMPANIES

Mr. Lewis: Yes; first, Mr. Speaker, I want to ask a question of the Minister of Health based on the news story in the Globe and Mail.

Mr. H. C. Parrott (Oxford): Source of all questions.

An hon. member: Source of all legislation.

Mr. Lewis: I only use the news columns in this paper, if I want ambulatory paranoia I don't have to read the editorials of the Globe.

Hon. A. Grossman (Minister of Revenue): If there is a newspaper strike, the member is in trouble.

Mr. Lewis: Can I ask the minister why he feels so sanguine and uninterested, as the Minister of Health, when a news report flows from last night's meeting that two more children were admitted to the Sick Children's Hospital with lead counts in the blood above the acceptable level? Doesn't he feel he has some kind of obligation to the citizens of the province to protect them and to step in, in a really tough-minded way, when health is endangered in this fashion? Why does he sit back and talk about it?

Mr. J. P. MacBeth (York West): When did the member become concerned about the youth of this province?

Hon. Mr. Potter: Mr. Speaker, the hon. member once again isn't too sure of what he is talking about. I have stated before, and I've stated before today, that I have been working closely with Dr. Parkinson of Sick Children's, who is responsible for this part of the programme. He has advised me that he would keep me informed and let me know what we can do to help. I still haven't had anything from him to suggest that we should be doing any more, and until I have more details than have been in the paper this morning, I'm not prepared to do anything more.

Mr. Lewis: By way of supplementary, how much more physical evidence does the minister need than the admission of people to hospital? He is a doctor; he knows the implication of that. Why does he need to run to Parkinson? Why can he not exercise his authority as Minister of Health and go to the Sick Children's Hospital if necessary and ascertain the facts for himself? Why this admission process, and he sits back and says he is waiting for more evidence? Why can't he act now? Why doesn't he act this morning?

Let me ask another question. Will he move under section 92 of the Public Health Act and ask the city of Toronto to do something about the emissions at Canada Metal and the hazard to public health?

Hon. Mr. Potter: Mr. Speaker, once again I will move when I have sufficient evidence to warrant such a move. Until I have the actual evidence I am not prepared to move in and make any changes.

Mr. Lewis: May I ask the minister then, what kind of evidence does he want? What exactly is he waiting for? He is the only Minister of Health in the country who waits until people are sick before he acts. How much evidence does he want and where is it going to come from?

Hon. Mr. Potter: Mr. Speaker, there's not much point in trying to answer the questions of the members of the opposition. I have answered them before. We have been in contact with the medical officer of health and his staff, my own staff, and with those involved in the treatment of these individuals. We are working as closely as we can with them to determine the cause of the high levels, and to determine how serious the high levels are in the individuals. When we have evidence that would suggest we should be moving any further—

Mr. Lewis: There will be a tragedy, then he will move.

Hon. Mr. Potter: —we will, but until we do have that evidence we are not prepared to do any more.

Mr. R. F. Nixon: He is a most frightening Minister of Health.

Mr. Speaker: Does the hon. member for Scarborough West have further questions?

STATUS OF WORKERS AT CLOSED PLANTS

Mr. Lewis: Question of the Minister of Labour: Does he not see what's happening and that we are headed toward a possible stop order under the Public Health Act, section 92? Can he tell me what protection the workers are going to have if the plant is forced to shut down?

Hon. F. Guindon (Minister of Labour): As usual, Mr. Speaker, every effort is going to be made by my ministry to protect them as much as we can.

Mr. Lewis: By way of supplementary, will the minister concede that as things now stand, if on the basis of last night's evidence the city moves to close down the plant, which the minister obviously won't do, there is absolutely no protection under present law for the workers involved?

Hon. Mr. Guindon: Well Mr. Speaker, my hon. friend is quite aware of a new amendment to the Employment Standards Act which has started working in this field.

Mr. I. Deans (Wentworth): That doesn't apply.

Mr. Lewis: Right.

Hon. Mr. Guindon: As I say, I was feeling my way, but I have already shown my intentions.

Mr. Lewis: Right, but the minister will concede—

Mr. Reid: By way of supplementary, if I might, does the minister not realize and does he not see that under this kind of circumstances those men can be out of a job under the Public Health Act? His Act allows only for assistance under the Environmental Protection Act, and surely this is a prime consideration and an obvious example. Will he

amend the bill? Obviously we are going to be here next week. We'll have the bill in.

Mr. E. J. Bounsall (Windsor West): We tried this week to amend it.

Hon. Mr. Guindon: We have already amended the bill. I have included this section—

Mr. Lewis: The minister has not covered the Public Health Act. He knows that.

Hon. Mr. Guindon: No, not the Public Health Act.

Mr. Lewis: Just the Environmental Protection Act.

Mr. R. F. Nixon: Which can't be used, the minister says.

Hon. Mr. Guindon: Yes, and there are 20 more Acts that could be included as well. That's a first step, and I don't know of any jurisdiction that has done as much as we have.

Mr. J. F. Foulds (Port Arthur): Why doesn't the government pioneer once in a while?

Mr. Speaker: Order.

Hon. Mr. Guindon: There must be a reason.

Mr. Lewis: How many jurisdictions does the minister know that have a Canada Metal situation?

AIR POLLUTION CONTROL

Mr. Lewis: I have a question of the Minister of the Environment: How many expressions of non-confidence does he need from right across the Province of Ontario in the functioning of the air management branch before he agrees to institute a commission of inquiry?

Hon. Mr. Auld: Mr. Speaker, as far as I'm concerned, the air management branch is probably the best in North America and has accomplished more than any other jurisdiction, most of which have done nothing. I have every confidence in the air management branch and I will be delighted to spend two hours just giving a factual list of its accomplishments.

Mr. Reid: The minister is one of the few in the province who has such confidence. May I ask the minister—

Mr. Speaker: Is this a supplementary?

Mr. Reid: Yes it is. May I ask the minister what proof he needs? What is his idea about the air management branch? Does it have to wait until somebody else comes along and shows something to it? Why are they not discovering this kind of thing instead of reacting to it? It's a completely reactive branch when it should be protecting the public.

Hon. Mr. Auld: Mr. Speaker, as I indicated in the statement which the hon. member obviously either has not heard or has not read or has forgotten, we got into this several years ago.

There are, as I recall the figures, about 30 operations in the province that use lead to any extent. We have checked and have controls pending or completed in about 23. There are, as I recall, about 11 where we feel there may be some existing hazard because of the past. We have been in touch with the medical authorities in those jurisdictions and asked them to check with the people to see if in fact there are any lead-level hazards.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: Yes, is the House leader in the precinct anywhere? Can I—

Mr. D. C. MacDonald (York South): Ask the Provincial Secretary for Resources Development (Mr. Lawrence). He's the good authority on procedure.

Mr. Lewis: No, I wouldn't ask the Provincial Secretary. I would be afraid of the answer.

An hon. member: He might challenge the question.

Mr. V. M. Singer (Downsview): He'd challenge the answer.

Mr. Lewis: He would move adjournment.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. Lewis: Can I ask the House leader, is the absence this morning of both the Premier (Mr. Davis) and the Minister of Education (Mr. Wells) indicative of the fact that the government is moving toward sanity and reconsidering an amendment for submission to committee, for total withdrawal of Bill 274?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, of course I cannot accept the words of the hon. member's question—

Mr. R. F. Nixon: Is the minister going to answer it?

Mr. Lewis: Just answer the question.

Hon. Mr. Winkler: —but the Premier and the Minister of Education are not absent for that reason.

Mr. E. Sargent (Grey-Bruce). They are afraid to show up.

Mr. Reid: What reason are they absent for?

Hon. Mr. Winkler: That wasn't the question; that wasn't the question.

Mr. Speaker: Those questions are not proper during the question period.

The hon. member for Scarborough West.

Mr. Lewis: I am obsessed with something else. I have no further questions.

Mr. Speaker: The hon. member for Grey-Bruce is first.

SHORTAGE OF NURSING HOME BEDS

Mr. Sargent: Would a motion to adjourn be in order during the House? It is not debatable?

This question is of the Minister of Health, Mr. Speaker. In view of the fact that he is forcing medical practitioners of Grey and Bruce to use acute medical beds in the hospital for patients requiring only nursing home care, and in view of the fact that one in every four adult admissions to our hospital must go into the hall in contravention of fire regulations which the minister knows about, first, what is the minister going to do about giving us more nursing home beds? Second, what is he doing about our hospital?

Hon. Mr. Potter: Mr. Speaker, I am surprised that the hon. member should ask me that question today, because he has been discussing this with me for the past few weeks and we have—

Mr. Sargent: I am talking nursing homes now.

Hon. Mr. Potter: —sent teams into his area to study the actual needs in the Owen Sound district. We are trying to come up with the actual needs there and then we will meet them as soon as we can.

Mr. Sargent: Supplementary, Mr. Speaker; the minister is evading my question. Although in Hanover we have a $4 million hospital half full, and the halls are full in our hospital, the main problem now is nursing home beds. We are leaving people in the hospital, paying $70 a day for beds needed for patients requiring hospital care. The main need now is more nursing home beds; that is my problem.

Mr. E. R. Good (Waterloo North): What is the minister going to do about it?

Hon. Mr. Winkler: And the member's statement is not factual.

Hon. Mr. Potter: Mr. Speaker, once again there are several needs in the area which are being reviewed on the spot at the present time. We must determine how many patients require a higher standard of care than is available in nursing homes, how many are of a chronic bed nature, those that require just standard nursing home care and those that can be cared for at home under the homecare programme. This is a matter I have discussed with the hon. member.

Mr. Sargent: Not nursing homes then.

Hon. Mr. Potter: We have a team from the ministry working very closely with them in that area at the present time to determine the needs, and we will meet them.

Mr. Speaker: The hon. member for Northumberland.

Mr. R. D. Rowe (Northumberland): Mr. Speaker—

Mr. E. W. Martel (Sudbury East): He's going to ask them to withdraw the bill.

ESCORTS FOR WIDE LOADS

Mr. Rowe: Not this morning, no.

A question of the Solicitor General, Mr. Speaker, regarding the situation whereby wide loads such as mobile homes and other house trailers up to 14 ft are now permitted on our highways under OPP escort, requiring two OPP vehicles. Since this ties up these highly trained officers, would the Solicitor General give consideration to the development of a special corps of officers, similar to our protective services here in the buildings, for safe escort of special homes such as I mentioned, thus relieving our highly trained OPP officers for their own specialized duties and also providing a badly needed service for this important, growing young industry of ours?

Mr. M. Shulman (High Park): Call them the home guard.

Hon. J. Yaremko (Solicitor General): Mr. Speaker, that idea on the face of it has a good deal of merit. I shall be pleased to check into it and also consult with the Minister of Transportation and Communications (Mr. Carton).

Mr. Reid: That's the best answer the Solicitor General has given.

Mr. Speaker: The hon. member for Rainy River.

ENERGY TAX

Mr. Reid: Mr. Speaker, I have a question of the Minister of Energy. Is he aware of the report of the national economic outlook conference in regard to uses of energy and their recommendation that there be a tax tied to the use of energy in Canada, and particularly that it be on a scale related to the wastage of energy? In other words, if one is using much more fuel than one needs to, there would be a tax related to that? What does he think of that idea?

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, I am about half way through reading that report, which was sent to me earlier in the week, and I am not in position to comment on it.

Mr. Reid: He is going to spend the weekend with it.

Mr. Speaker: The hon. Minister of Agriculture and Food has the answer to questions asked previously.

PRICES OF FOODSTUFFS

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, yesterday I was asked, by the hon. Leader of the Opposition I believe, concerning the food basket prices. I have those figures. The figure for mid-November was $74.27 on the Ontario Food Council's 147-item food basket. That was in comparison—

Mr. Ruston: Louder.

Hon. Mr. Stewart: I'm sorry. The figure was $74.27 for the Ontario Food Council's 147-item food basket, in comparison with the October figure of $72.33 for the same food basket items, making $1.94 difference. I am advised that the increase was due to higher prices for canned, fresh and frozen fruits and vegetables than had previously been the case.

I was asked as well if I might answer the question asked by the member for Grey-Bruce—

Mr. R. F. Nixon: That's about a three per cent increase a month?

Hon. Mr. Stewart: The increase was 1.2 per cent.

Mr. MacDonald: I have a supplementary on that, Mr. Speaker, if I may. When did that information become available? On what date was it available from the Food Council?

Hon. Mr. Stewart: I can't answer that, Mr. Speaker, I just don't know. I gather the items to which my friend, the Leader of the Opposition had referred yesterday had been printed in the paper, although I haven't seen it. I asked the Food Council about it and they told me that these were the figures provided to them.

Mr. MacDonald: Mr. Speaker, a further supplementary: Does the minister not agree, in response to a question I put to him in the estimates, that something is wrong with regard to the publicity on this important food basket?

He didn't know about it as the minister. I haven't seen this new item. This is a very important and vital concern. Why can't something be done by way of streamlining, or making more effective, publicity with regard to this information?

Hon. Mr. Stewart: I can see the point raised by the hon. member for York South, Mr. Speaker, but I'm afraid I couldn't guarantee any kind of news release that both he and I might be consciously aware of whenever it's released. I don't think that is possible to guarantee. Obviously, it must have been made available to someone or it wouldn't have appeared in the press, or why would the Leader of the Opposition have asked the question had he not seen it in the press?

Mr. MacDonald: Well, a final supplementary: Can members of the House not be circulated with any release with regard to the food basket henceforth, so at least we will know?

Hon. Mr. Stewart: I'll take that under advisement, Mr. Speaker.

Mr. R. F. Nixon: A supplementary, Mr. Speaker: What per cent increase did the minister say that was?

Hon. Mr. Stewart: I didn't do the arithmetic on it, but somebody did. They tell me the consumer price index for food in Canada in November, 1973, in comparison with October, 1973, is higher by 1.2 per cent. The food basket itself here in Ontario – and this is done here in Toronto as I understand it—is up $1.94 over the previous month.

Mr. R. F. Nixon: Supplementary: If the minister is talking about percentages—and I hesitate to indicate this without the presence of the Minister of Education—I think he is talking about a 2.6 per cent increase, which is considerably higher than it is across Canada.

AVAILABILITY OF COARSE GRAINS

Hon. Mr. Stewart: I have the answer to a question yesterday by the hon. member for Grey-Bruce. May I give that?

The question was asked concerning feed grain supplies. The figure I have indicates that we are in a better position in Ontario than we were last year. Our ports are storing more grain this year than last. At Dec. 12, 1973, we had nine million bushels in port elevators, compared with 8.3 million bushels last year; which is consistent with the answer I gave yesterday. The shortage to which my friend referred, I assume, arose from a news report published in the Globe and Mail Dec. 13, which I believe was referred to apparently by a news broadcast yesterday morning on the radio which reported a shortage of feed grains which does exist in the Maritimes and Quebec.

Mr. Speaker: The hon. member for Thunder Bay.

FREIGHT RATE COSTS

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker, I have a question of the Provincial Secretary of Resources Development.

Is the minister aware of a statement or a commitment made by the federal Minister of Transport in Winnipeg yesterday, committing himself to insisting that the two major rail carriers, Canadian Pacific and Canadian National, divulge their costs for freight rate structuring to the four western provinces so that they themselves could see whether or not they were getting a square deal with regard to freight rate costs?

And if he is aware of it, is he going to assure us in this House that the same kind of information will be available to this government and to the Ministry of Transportation and Communications so that we too, in the Province of Ontario, can be assured that all of the high freight rates are being justified or can be justified? And that as a result of this information, which should be available to Ontario, we can better ascertain whether or not the people, particularly in northern Ontario, are being gouged by unconscionable freight rates.

Hon. Mr. Lawrence: In reply to the whole question, yes, Mr. Speaker. This has been very much a concern of the Minister of Transportation and Communications and of the government. It relates, of course, not only to northern Ontario; it relates to southern Ontario markets as well.

We have been pressing for this step to be taken in relation to at least one of the railroads, and, as I recall, one of them was fairly open with its figures—or has been. I can't remember which one it was.

Mr. Reid: It wasn't the CNR.

Hon. Mr. Lawrence: The position, as mentioned, is one which we certainly support and need for our own statistical base.

Mr. Reid: May I ask a supplementary concerning that? I hope the minister realizes the importance of this, particularly to northern Ontario. Is there an ongoing study in the ministry or under the Ministry of Transportation and Communications in regard to the whole spectrum of freight rates, particularly as they apply to northern Ontario?

Hon. Mr. Lawrence: I don't think we have a study in relation to the whole spectrum of freight rates but I know we have at least a couple of studies going in relation to the northern part of the province. We have had to study them, of course, in relation to the ONR in northeastern Ontario. I believe there is another study under way in northwestern Ontario but, again, not the whole province.

Mr. Stokes: A supplementary: Did the commitment made by the hon. Jean Marchand in Winnipeg last night include Ontario or was it expressly for the four western provinces? If it did include Ontario, when is the minister going to use the kind of data to see

what can be done to bring down the freight rates right across the Province of Ontario?

Hon. Mr. Lawrence: I don't recall whether or not he mentioned Ontario, but I would find it difficult to believe that he would make a ruling, as it were, in relation to the western provinces and not permit the same evidence to be available for us.

Mr. Stokes: Will the minister check into it?

Hon. Mr. Lawrence: We will certainly press for it because, not only in northwestern Ontario but in northeastern Ontario, where we have a subsidization programme in operation, it is extremely relevant.

Mr. Speaker: The hon. member for Essex South.

RETAIL SALES TAX COLLECTION

Mr. D. A. Paterson (Essex South): A question of the Minister of Revenue, Mr. Speaker, regarding the retail sales tax collections: Can the minister advise the House as to whether sales tax collections in the past six months have lived up to the expectations of the government? Have they maintained their steady pace as compared to last year, discounting the 40 per cent increase? Would the minister consider releasing these figures to the members at the end of each collection period so that we can have an indication, a barometer, of retail sales in the province, to try to discount some of this talk about depression in the future?

Hon. Mr. Grossman: Mr. Speaker, my recollection is that the collections have been up to expectations, but I don't think I have looked at the figures for about a month or so, so they are not necessarily up to date.

As to the last part of the hon. member's question, I see no reason why these figures can't be made available every month. Pending some reason which might be made clear to me in the interim I would, as I say, see no reason why they shouldn't be made public, and I will look into it.

Mr. Reid: Would he consider returning to five per cent?

Mr. H. Worton (Wellington South): Mr. Speaker, a supplementary—

Mr. Speaker: I believe the hon. member for Peterborough—

Mr. J. M. Turner (Peterborough): It was a new question, Mr. Speaker.

Mr. Speaker: It was?

Mr. Worton: Mr. Speaker, can I ask the minister if he has discontinued enclosing envelopes for these people who collect the tax free of charge now to return that cheque to him?

Hon. Mr. Grossman: Sorry, I can't hear.

Mr. Worton: Would the minister check to see if he has discontinued enclosing envelopes for the return of the money or sales tax to the government?

Hon. Mr. Grossman: I certainly shall; my understanding is that they haven't been discontinued. I will certainly find out and advise the hon. member.

Mr. Sargent: Supplementary: Would the minister inform me why he is dragging his feet? He could pick up another $250 million on a very highly accepted tax in the United States called VIT. What is he doing about that?

Hon. Mr. Grossman: Would the hon. member explain what VIT stands for? I never heard of it.

Mr. Sargent: Corporate intangible tax. It is a tax on corporate wealth, stocks and bonds. It's all through United States, and we're not doing it here. It's taxing wealth and corporations and stocks. Instead of hitting the average guy, they're hitting the big guy. It's a good revenue producer in the United States, and we should be doing it here in Ontario. And the minister knows nothing about it!

Hon. Mr. Grossman: Mr. Speaker, I would suggest, if the hon. member feels this is a good additional tax to impose on the taxpayers—

Mr. Sargent: I'll send the minister a paper on it right now!

Hon. Mr. Grossman: Okay.

Mr. Sargent: It is corporate wealth in the province.

Hon. Mr. Grossman: Those are people. There are always people involved in corporations. Shareholders are all taxpayers. If the hon. member feels he has a good suggestion for an additional tax, I would suggest he

make the recommendation to my colleague, the Treasurer (Mr. White).

Mr. M. C. Germa (Sudbury): Corporations aren't people. What is the minister talking about?

Mr. Sargent: There is $250 million of easy money there.

Mr. F. Laughren (Nickel Belt): What about widows and orphans?

Mr. Speaker: Order.

Hon. Mr. Grossman: If he does that, the Treasurer can consider the recommendation in preparation for his budget. However, the hon. member has sent the document over to me and I will be glad to hand it to the Treasurer for him.

Mr. Sargent: Try to understand it.

Hon. Mr. Grossman: I know, Mr. Speaker, the hon. member only reads very deep stuff and it might be difficult for me to understand what he understands, but I'll do my best.

Mr. Sargent: That I understand.

Mr. Speaker: The hon. member for Peterborough.

DAYLIGHT-SAVING TIME EXTENSION

Mr. Turner: I have a question of the Minister of Energy, Mr. Speaker, please: Could the minister tell us if he or his officials have reached any conclusion regarding the implementation of daylight-saving time in the Province of Ontario?

Mr. Ruston: I hope not.

Hon. Mr. McKeough: Mr. Speaker, yes, we have reached conclusions and have reported them to the government.

Our conclusion, very briefly, is that there would be, as we said before, some savings on electricity by going to daylight saving during the winter months. There may be, although there doesn't seem to be any hard evidence to indicate that there would be, extra usage of either oil or gas.

Our report to the government is that in terms of energy, the effect would be minimal, plus or minus one per cent. I suppose. We really suspect that there would be a small saving. It's very hard to get hard data in this area, but our conclusion was that any effect on energy would be neutral or at least there would be no significant difference one way or another.

There are a whole host of other implications which the government as a whole must consider, mainly economic in terms of transportation scheduling, in terms of television timetables and in terms of the stock market. None of those things particularly concerns me, but I and my colleagues are concerned about the industrial dislocation which can happen and the problems arising out of our being on a different time frame than the United States, which fortunately or unfortunately accounts for some 70 per cent of our exports from Canada.

As I understand it now, the earliest the bill could come into effect in the United States is probably early in January, so the government has some weeks yet to make a decision, either one way or another.

Mr. R. F. Nixon: How many weeks before they do?

Hon. Mr. McKeough: Jan. 6.

Mr. Speaker: The time for oral questions has now expired.

Petitions.

Presenting reports.

Motions.

Mr. Deans: Withdrawal of bills?

Mr. Speaker: Introduction of bills.

Mr. Lewis: Mr. Speaker, before the orders of the day, I think I owe it to the House, perhaps on a point of privilege, to say that in a matter of minutes, perhaps seconds, we are tabling a fairly toughly worded non-confidence motion and filing it with the Clerk. It is the only non-confidence motion we have and it is pegged to the introduction of Bill 274. I presume a non-confidence motion will be called for debate on Tuesday or Wednesday of the coming week.

Mr. Speaker: Orders of the day.

Clerk of the House: The eighth order, resuming the adjourned debate on the motion for second reading of Bill 274, An Act to amend the Ministry of Education Act.

MINISTRY OF EDUCATION ACT
(continued)

Mr. Speaker: The hon. member for High Park.

Mr. M. Shulman (High Park): Mr. Speaker, you will recall I began last night by praising the minister for the consistency with which he has run his department, and to my great surprise he took umbrage at my comments. In fact, he accused me of a personal attack upon him.

Mr. E. Sargent (Grey-Bruce): The member came back.

Mr. Shulman: This really has been the minister's and my problem from the beginning. We don't really understand each other. We never have understood what each other was saying. Perhaps this is the cause of the minister's problem with the teaching profession right now.

Mr. Speaker: Order.

Mr. Shulman: I am really not digressing, but I'd like to just explain the minister's and my problems from the beginning—

Mr. Speaker: Well, I am sure that the problems of the member and the minister are of no interest to this Legislature—

Mr. Shulman: They may be of no interest, sir—

Mr. Speaker: —and the member is out of order to recite them.

Mr. Shulman: —but they certainly are relevant, because the problems I have with the minister are the same problems that the teachers are having with the minister.

Mr. Speaker: I think in the context expressed by the hon. member they cannot be introduced in this debate. He may debate the bill; he may introduce them, if he wishes, relevant to the bill itself.

Mr. Shulman: But this is relevant to the bill, sir. Are you ruling I may not—

Mr. Speaker: Well, I have to rule that the problems the hon. member has mentioned between himself and the minister are not proper matters for introduction in this debate, because the House is interested in the debate of this bill only. I would ask the hon. member to confine his remarks to debate on this particular bill. If some of the problems he has encountered are specifically relevant, I will not rule him out of order, but he should debate the bill.

Mr. Shulman: I thought I was debating the bill, sir, but I will leave out my personal problems and the minister's problems.

The point I am trying to make is that because of past history, the minister has some difficulty in communicating, not only with the members here but also with the profession. For that reason, sir, I am going to direct the comments I am about to make through you to the Premier (Mr. Davis), because at this point in time he is the only one who can save the government and the party from a grievous error.

Speaking as one politician to another, if I may through you, Mr. Speaker, and as someone who has a great deal of faith in our Premier—it has weakened a little in these recent days, I must say; I was one of his early boosters and I find my confidence somewhat shaken.

But, in the decision on this bill, there are really only two things that he should consider: one is the good of the province and the other is the good of the Conservative Party. If we agree that these are the two issues that should be in his mind—and I am sure they are—he is really acting very badly, because he is hurting both.

There is no question he is hurting the province. He has caused tremendous divisiveness across the province. He has in effect forced the teachers to the brink, to the point where they are going out of their classrooms next Tuesday—at least next Tuesday and probably for much longer.

There is no question that he has hurt the Conservative Party incredibly. He has probably—

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Don't count on it.

Mr. N. G. Leluk (Humber): We'll see in the next election.

Mr. M. Cassidy (Ottawa Centre): They'll see next election, they certainly will.

Mr. Shulman: Well, what has he done? He has succeeded in infuriating 105,000 normally Tory voters across this province. The majority of them were Tory voters. He has suceeded in infuriating 105,000 people, a proportion of whose loyalties at least went to the Tory party—1,000 in every riding who are going to be out at the next election doing their damnedest to see that the Tory candidates are defeated. A thousand extra workers, plus their wives, in each riding; it makes my blood just boil with the excitement.

Mr. Leluk: The member for High Park had better run again.

Hon. W. A. Stewart (Minister of Agriculture and Food): It might make him run again.

Mr. D. C. MacDonald (York South): He might even decide to run again.

Mr. Shulman: It's such a temptation, it almost makes me weaken, Mr. Speaker.

Mr. J. E. Bullbrook (Sarnia): Perish the thought.

Mr. W. J. Nuttall (Frontenac-Addington): In that case we may have to withdraw.

Mr. Shulman: Well, could be.

Mr. MacDonald: That was an unexpected line of argument from the government side.

An hon. member: They know we have the ultimate weapon.

Mr. J. F. Foulds (Port Arthur): They thought they had the ultimate weapon. We have.

An hon. member: Oh, that's terrible.

Mr. Shulman: I understand, Mr. Speaker, how it happened. Day after day, the member for Ottawa East (Mr. Roy) needled the government, needled the Minister of Education (Mr. Wells), needled the Premier; he has kept saying: "What are you going to do about this contingency? You had better set up a plan."

I understand exactly how the minister fell into the trap. He thought: "Good Lord, maybe we had better do something. Maybe we had better bring in some plan to prevent this disaster from occurring."

So they fell into the member's trap—or was it a trap? I don't know whether it was a trap, pre-planned, or whether it was an accident; but they made the horrible mistake of bringing in this bill. This bill which, in effect, creates an emergency where there may never have been one. Let's see what they say. They say that they "wanted to help the children."

Periodically, yesterday, I heard the Minister of Education throw that across the floor: "We're doing it for the children." Now, I don't doubt his word for one second. Not for one second do I doubt that it was his intention to begin with. But if that was his intention, what a grievous error the government has made. Because they are not helping the children; they are doing exactly the opposite.

Wittingly or unwittingly, they have produced the result where the children are going to be the ones that are punished; because the result of this bill has caused tremendous unrest in the schools already. It is going to produce a complete shutdown of the schools next week. It is going to produce a strike that may very well frost the hair of all of the government members before it is over, because this will be a bitter strike, a bitter withdrawal of services—because the government has forced them to it.

So the government is really not helping the children. Regardless of what its first intention was, it hasn't worked out right.

What has it actually done? We'll just look over what the government has succeeded in doing with this bill.

They have united the teachers right across the province—and it's interesting. Up until a week ago, even with all of the abuse that the government received from various teachers' groups, they weren't united. They had some that were speaking very loudly about the ceilings, and yet a large number of them were accepting the ceilings and were working within it. There was a division between the trustees on the one hand, the boards of education, and the teachers on the other—and that has disappeared. There was a division between the various groups of teachers, and as members know there are various organizations representing them all. One group was talking about going out on strike. Others were saying they weren't. One group said they were going to withdraw their services. Others said they weren't.

And what has the government done, with this bill? It has united them completely across the province. All 100,000 are now united in one decision; to fight this bill.

The political ineptness of it boggles my mind. As a politician this really amazes me, because normally this is a government that is politically very aware, very astute. And to see them make a political error of this consequence, of this size—it is a greater one than they've ever committed.

They tried with the energy tax once before, but they withdrew that, they saw what was happening. The incredible thing here is they don't seem to realize what they're doing. They're uniting a huge body of people across this province as their enemy; a group that has never been united before. And, as a politician almost removed—because my days here are now very limited—but as a politician it bothers me to see another politician act so stupidly.

Mr. Leluk: It is the best Christmas present we have had.

Mr. Shulman: Because this is just plain stupidity from a political point of view; unless the government feels that 30 years is enough, and it's time to get out—because it is sure acting that way.

Mr. Cassidy: It's a kamikaze instinct.

Mr. Shulman: They are attempting to destroy themselves.

Hon. G. A. Kerr (Provincial Secretary for Justice): Mellowing.

Mr. Shulman: What else have they done? They've united the teachers against them. They've hurt the children. There's no question whatsoever the children are going to be hurt. And let me say this, the teachers are doing their best not to hurt the children.

I don't know if the minister is aware, but last night the Toronto Teachers' Federation voted to go out. They're going out on Tuesday and there's no question about it. They'll be out and they'll be down here. But they did vote unanimously that they are going to arrange for the care and supervision of all children for whom it is absolutely necessary. That means children whose parents have to go to work and who in effect depend on them going to school where they'll be looked after. These children will not be left in the lurch.

Mr. MacDonald: Furthermore, the board of education supports them and opposes the bill.

Mr. Shulman: Yes, I'm coming to that.

Hon. T. L. Wells (Minister of Education): Not the trustees of this province, though.

Mr. Shulman: Wait, wait; they're coming.

Hon. Mr. Wells: Not the trustees of this province, though.

Mr. Shulman: So the teachers are acting as responsibly as they can in the face of extreme provocation.

The other interesting thing is that the trustees here in Toronto, in a gesture of support for the teachers, instructed they not be docked their day's pay on Tuesday; but the teachers last night in their federation, decided they feel sufficiently strongly they wish to be docked a day's pay. They don't want to be paid for Tuesday and they so informed the board of education. They do not expect this pay.

The teachers are taking this now as a matter of principle. They have decided there is only one villain in this province, one man and one party; and that is a very unhealthy sign for the government.

What else has the government done? It has divided the province. It is true there are people in this province who say: Good, fix them; they are doing so well any way. One always has people like that. No matter whom the government tries to punish, there are always going to be people who will cheer it on. But those people vote Tory anyway, and they have always voted Tory. They are all over 65 anyway, and they will all cheer the government on as long as they can.

Mr. MacDonald: No matter what age they are, they are over 65.

Mr. C. E. McIlveen (Oshawa): There are a lot of people over 65 in this province.

Mr. Foulds: Including the member for Don Mills (Mr. Timbrell).

An hon. member: Some young olds.

Mr. Shulman: Yes, we have some young olds.

Producing this enmity is bad, not just for the government but it is bad for us, and bad for everyone in this House. It is bad for those students up there, it is bad for the teachers, it is bad for the general public, because the duty of government, no matter what government it is, is to unite the people and try to get it behind common objectives and to bring it along on things that will help us all, and not to divide. A government that divides always falls.

Mr. R. Haggerty (Welland South): We could have these fellows in for 30 more years of Tory rule.

Mr. Shulman: I can take my own party, the NDP, which made the same mistake in Saskatchewan. They divided the province on the issue of the doctors and the government fell. They punished the doctors and this government is punishing the teachers. History repeats itself time and time again, and nobody ever learns anything.

Mr. Haggerty: He is still a Tory.

Mr. Shulman: Sometimes.

Mr. Foulds: Genuine conservatism. That is not—

Mr. Shulman: So what has the government done? It has united the teachers against it. It has hurt the children. It has divided the

province and has produced a mass of new enemies.

Worst of all, the one objective that it started out to prevent, which is the teachers being out of their classes, it has failed in, because those teachers are going out. They are going out Tuesday for sure, and then they are going to go out again in the new year, in January. They are not going to stay out for the short time they would have stayed out now that they have a cause.

The government is going to have those schools empty for an incredibly long period of time.

I look at all this and it boggles the mind. It really does, Mr. Speaker, to see a responsible government which has been in power for a long time and which knows all the tricks of the trade, pull a boon-doggling of this size. It boggles the mind to have them come in and make an error which hurts them, hurts us, hurts the teachers, hurts the general public, hurts the pupils—and all for nothing. They gain nothing from it. It is absolutely incredible.

They don't know yet, because they are not willing to accept it, but the backbenchers know. They know already what has happened and they know what I have said is true. They are gaining nothing, and they are losing a lot, and it isn't necessary.

There is still a way out, gentlemen. I agree the minister cannot withdraw the bill because politically that is just too much weakness, but there is a way out with honour. There is a way out with face. There is a way the government can get out of this mess before the whole bloody roof of cards falls in on it.

So, I don't say withdraw the bill. What I suggest is the Premier come in Monday morning and say: "In view of all the trouble that is happening and because we are anxious that the students not be deprived of their teaching tomorrow, in order to make it unnecessary for those 30,000 teachers to come down here, although we still believe the bill is right and we still believe that what we are doing is right, there is no rush. We are going to strike a select committee to look into this matter. They will begin sittings immediately after Christmas, and they can consider it. There is a lot of time for them to consider it before the deadline comes up in January, and therefore we are not acting hastily."

This is how the government can get out with face. This is how it can save all this mess. This is how the party may even save the government in the next election, because if it pursues on this course of madness, it is going to drag itself down very quickly.

I might suggest, if the government really seriously wants to be re-elected, if it is serious about it, in addition to getting out with face—which it can do; it can do it very easily; it can do it today; it can do it Monday, but after Monday it's going to be too late. Once those 30,000 walk down here, then it is withdrawing under pressure, then it's too late. Monday is the deadline, gentlemen. If the government doesn't do it then, it's for it.

But the other thing it can do is it can show it is really interested in saving money. This ceiling thing hasn't gone over too well, PR-wise. It hasn't made the impression it should. Why doesn't the government make a gesture toward the expenses which are unnecessary? Why doesn't it shut down OISE? Mail it somewhere to New York or Texas.

I agree we have one problem: The former executive assistant to my leader (Mr. Lewis) will be out of a job, I understand he has a job available as a chauffeur. He can be my leader's chauffeur in the future; so that is the only problem that bothers me out of the way.

Mr. S. Lewis (Scarborough West): What happens to my present chauffeur?

Mr. Shulman: So we'll get Jerry a job and think of the saving—

Hon. Mr. Wells: Well just—

Mr. Lewis: I can't have a chauffeur who has a doctorate.

An hon. member: Get one from Rochdale.

Hon. Mr. Wells: What would the member do with Mr. Laxer?

An hon. member: Who is he?

Mr. Shulman: I've got a few suggestions for him. Welfare!

Mr. Lewis: Redundancy.

Mr. Shulman: Redundancy, yes.

Hon. Mr. Wells: He's on welfare now.

Mr. Shulman: So the government can make a great gesture that way. It could say: "Look at the millions we are saving every year," and no one would miss it. No one would even notice it. As a matter of fact, no one has even been able to figure out what they do yet.

An hon. member: That's right.

Mr. F. Laughren (Nickel Belt): They do in-basket simulation exercises.

Mr. Shulman: Well, what about the minister? I apologize to the minister because at times we have had, as I began to say, problems of communication and I may have said things that were unkind; and if I have, I apologize to him.

Hon. A. Grossman (Minister of Revenue): Oh, my God. This is a red letter day.

Mr. Shulman: It was not really my intention to hurt his feelings, but let's face it, he has now become the symbol of a policy and a bill which is somewhat disreputable, I'm sorry to say. As a symbol he is going to be a great disadvantage to the government and to all of us for some time to come.

I'm not suggesting that he be dumped, not today. I think the Premier should do the discreet thing and after a decent interval, perhaps four or six weeks, not drop him, but transfer him to another post in the cabinet. He did have one other post in the cabinet which he handled with distinction, with energy, with great ability and with great presence, and I hope he will be transferred back to that post.

Mr. E. R. Good (Waterloo North): Minister without Portfolio.

Mr. Shulman: I won't mention the post.

An hon. member: The one without portfolio.

Mr. Shulman: But certainly he cannot remain in his present post. So I'll sum up by saying, through you Mr. Speaker, to the Premier of this province, if he persists in this mad course, the names of Tom Wells and Bill Davis are going to go down in history as the two men who brought down the Conservative government after 30 years in power. I know darn well that's not what he wants.

Mr. Leluk: Don't believe it.

Mr. Shulman: There is still time to repent. I was reminded yesterday of the words of my colleague, the member for Yorkview (Mr. Young. He sat here in disbelief as the bill was introduced and he said: "Whom God would destroy, He first sends mad." This is the impression I get of those benches. I know the backbenchers feel it seeping through, what is happening out in the wilds, out in the public, outside this little chamber—

Mr. R. F. Ruston (Essex-Kent): The boondocks.

Mr. Shulman: —out in the boondocks of Toronto and elsewhere.

I hope that privately, over this weekend, as many of them as are sincerely interested, not just in the Conservative Party but also in good government, will call their friends in the cabinet, will call the Premier if they can get through to him, will speak to the Minister of Education and say: "For goodness sake, let's send it to committee. We can still save the situation." Because if the government doesn't do it, it is going down, and before it goes down there is going to be chaos.

There is going to be "school's out!" There is going to be chaos in the schools and there is going to be chaos here. I don't want it any more than the government does and I'm really speaking sincerely to the minister. I am attempting to save the government and us from this. Thank you, Mr. Speaker.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker—

Mr. Speaker: Perhaps the hon. member for Huron-Bruce would permit a brief interruption?

Mr. Gaunt: Oh, yes.

VISITORS

Mr. M. B. Dymond (Ontario): Mr. Speaker, may I be privileged at this time to introduce to you, sir, and through you to the members of this honourable House, a large contingent of students from my riding, from Joseph Gould Junior High School in Uxbridge. Half of them are in both of the galleries now and the other half will be coming in after these have switched to another tour of our buildings. I know that you will welcome them, Mr. Speaker. They are worthy of that welcome.

Mr. Speaker: I thank the hon. member for permitting the interruption. He may now proceed.

Mr. Gaunt: Mr. Speaker, I want to make a few brief comments with respect to this particular bill. They are going to be brief because I have to leave very shortly.

However, I was struck by the record of teacher-school board negotiations over the past number of years. My information is that since 1944 school boards and teachers have had an excellent record of peaceful negotiations until now. In all of that time the schools have been closed by disputes in only three

communities—17 days in one; three days in another; and two days in another. Schools have been kept open without government intervention. I think that record, Mr. Speaker, indicates a record of moderation and reason. Teachers are people of reason; they are people of moderation, otherwise we wouldn't have had this record before us.

The fact of the matter is, Mr. Speaker, that this particular bill threatens, and I predict indeed will cause, more loss of school time than was lost in the last 30 years when teachers and boards were allowed to tackle their own problems without government intervention.

The minister says: "We want to bring in this legislation to keep the schools open. We want to bring it in for the good of the children." I suggest to him, Mr. Speaker, that the cure is worse than the disease.

Why all the panic? In view of the record I cited a moment ago, why did the minister panic all of a sudden and say: "Oh, my goodness, we have to do something. We've got to bring in this emergency legislation," when the record indicated that the school boards and teachers in the 17 districts affected would, in all likelihood, come to settlement without government intervention?

I suggest, Mr. Speaker, that this particular legislation is what I would term Archie Bunker legislation. It conjures up all the prejudices in the community. It stirs up and arouses all the prejudices; it creates distrust; it creates confrontation—and all to no avail; needlessly. I suggest to the minister that the best possible thing he could do, even though it may be slightly embarrassing, even though it may cause him some discomfort, would be to withdraw the bill and do it as quickly as possible.

I think the minister is going to bring down his government around him if he doesn't reconsider. I think the teachers and school boards across this province deserve to be treated in a better manner than they are being treated in this bill. I suggest that over the weekend, perhaps, when the minister is sitting in his study alone with his thoughts, he'll have some repentant thoughts about this particular legislation and hopefully, come Monday morning, we'll see him come in here and withdraw the legislation. That's the only honourable way out of this mess.

Mr. Speaker: The member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Speaker. I have two or three comments to make about the bill; I may go on for a little longer than two or three minutes about it.

I must confess to a terrible feeling of depression about this whole exercise we've been going through over the last three or four days. The member for Don Mills said something about the need to bring in legislation in order to avoid everybody's energies and attention being diverted to the question of the strike or the mass resignations which he foresaw as inevitable in January. Yet here we have the spectacle of this House in turmoil—in turmoil such as has not been seen in this century in this province—during the course of this week, completely preoccupied with the bill, or almost completely preoccupied with it.

We have the spectacle of the teacher organizations and teachers, who in their normal line of duty would probably be worrying about Christmas marks and talking with their kids and their parents about how they did and what they should do in the spring, and also as people worrying about their own children and worrying about Christmas shopping and where they were going to go for Boxing Day and that kind of thing; instead instantly galvanized into concern about the abuse and the way in which their rights are being trodden upon by the ministry. I just can't believe what we've had to go through this week, Mr. Speaker.

You know, as the member for High Park was saying, it's all so unnecessary. I have been around this House for a couple of years now, Mr. Speaker, and there are times when bills come forward and we have honest disagreements with the government. The bills are fought out, and because the government happened to get more seats than we did in the election, it eventually pushes through those particular pieces of legislation.

There are times when the government makes a blunder, such as say the energy tax. The pressure from its own backbenchers is instant and rapid, the pressure from the public and the parties on this side of the House is rapid, and it withdraws.

There are times, Mr. Speaker, when the government's political judgement is very obviously flawed but nevertheless, for reasons that are beyond us, it goes ahead and acts as it did in the case of the $50 cheque for old age pensioners.

There are times, Mr. Speaker, as happened just this week, when the government makes substantial changes in legislation, changes with a positive kind of impact, and brings them into the House. Now, given the government as it stands right now, and given its

incapacity to put a good foot forward, it manages still to have alienated some people in the province with the way it handles a piece of legislation, say like the Planning Act. But nevertheless, the debate that was held on the Planning Act late last week and on Monday and Tuesday of this week, Mr. Speaker, was a good honest debate where there were good honest differences. It was clear as far as this House was concerned that the decision to go on to this week to hear that particular debate made a lot of sense and we would, of course, have wound up our business quite fruitfully and quite responsibly about Wednesday afternoon or Wednesday evening of this week.

But, Mr. Speaker, I must say that I resent being in this House today, and I am going to resent personally being in this House next Monday and Tuesday and probably next Wednesday, because the only reason that any of us are here—

Interjection by an hon. member.

Mr. Cassidy: —is because of the stupidity of the government in handling this teacher bargaining issue and the sheer stupidity of the government in bringing forward this bill and in undermining teacher-board and teacher-public relationships the way the ministry has done.

Hon. Mr. Wells: The member keeps talking about it.

Mr. Cassidy: The whole crisis has been provoked by the government, and I just want to add a word to what the member for High Park had to say about this, because I'm a politician like the minister and it's possible for me to sit down and think about what I would have done if I were in his shoes, in the same way as I am sure that he might occasionally sit down and think on, how would he fight a bill if he were in the Liberal Party or the New Democratic Party. I hope he does think about these things. We don't see much evidence of it from the way in which he handles the business in this House.

But at any rate, it's clear that up until Monday of this week, and for many years in the past, there has been a very profound sense of responsibility on the part of teachers in the Province of Ontario, a sense of responsibility which is almost without parallel anywhere on the continent. In fact, I think it is without parallel.

The harmony that tended to prevail, the responsible way in which differences between boards and teachers were discussed and debated and negotiated, the commitment to the system which the teachers and their federations had, the fact that for many years a bargaining system had been created totally without legal framework, something which is almost unprecedented in labour relations over the last 20 or 30 years, Mr. Speaker—all of this speaks for the kind of sense of responsibility that teachers have.

The teachers have participated, to a very great extent, in the series of discussions that preceded and coincided with and followed the minister's inquiry, the Reville report. They disagreed with that report, as the minister knows, on a number of grounds. Acting in unison, they made a series of proposals to the government and put them forward, and in fact I'm glad to see that two or three of those suggestions were in fact accepted by the government in the bill that we had before us as a companion to the legislation of Bill 274.

Now, those teachers were looking for the opportunity to continue to act as they had done in the past. The teachers of this province were not naturally militant until the minister started to make them so on Monday of this week. The teachers of this province had made some pretty constructive proposals.

I would suggest to the hon. minister that he act, either as a man responsible for educational policy, or as a minister of his party concerned that he keeps the teachers on his side for the next election, and most likely for the election after that.

There was a very clear course of action which would also have pretty much coincided with his prejudice against any strike in the teaching profession. The teachers, as I think the hon. minister knows, suggested a timetable for negotiations which would have involved boards and teachers in compulsory arbitration if they chose not to go into conciliation by a certain date; which would have given them an alternative of voluntary arbitration if they did go into conciliation and which would have also given them the opportunity, in advance, to take the route of sanctions, which presumably means the strike option.

In other words, there were a number of exit points from the bargaining process before it ever got to a strike situation. It was what the teachers believe was a responsible form of free collective bargaining suitable for the teaching profession with the special kinds of requirement and the special care and concern that people in the profession have about kids.

Now, had the hon. minister brought forward a bill like that in Bill 275 that embodied substantially what was proposed by the teachers; had he—

Hon. Mr. Wells: May I ask the hon. member a question?

Mr. Cassidy: By all means.

Hon. Mr. Wells: Does the hon. member have a copy of the position paper the trustees put in on this particular matter? And does he not think that there are two people involved in this particular subject, two sides?

Mr. I. Deans (Wentworth): Is the minister aware that the Toronto trustees don't like this bill?

Hon. Mr. Wells: Is the member aware that the trustees of the province support the bill?

Mr. Deans: Is the minister aware that the Metro Toronto trustees say: "Withdraw the bill"?

Interjections by hon. members.

Mr. Cassidy: Mr. Speaker, management overwhelmingly supports compulsory arbitration, yet this government in general does not. Now, I just don't think that is acceptable.

Hon. Mr. Wells: No, I didn't ask that, Mr. Speaker. I just asked the member if he were aware of the position that the trustees put forward in regard to teacher-school board bargaining, which is different than that of the teachers' position—and they are part of the bargaining process.

Mr. Cassidy: Well, let me say I have to confess that I am not aware of their most recent position.

Mr. J. A. Renwick (Riverdale): Could we have a copy?

Mr. Cassidy: The reason that I am not aware of it is that I haven't heard a word from any trustees in support of the minister's Bill 274 or the minister's Bill 275 since this whole ruckus began at the beginning of this week. Not one word, Mr. Speaker.

Hon. Mr. Wells: There was a press release last night.

Mr. Cassidy: There was a press release last night, all right. It so happens that I haven't had a chance to read the newspapers this morning.

Mr. Deans: They are a pretty reactionary lot. A damned disgrace.

Mr. Cassidy: I did see what the Metro Toronto school trustees have had to say about the bill, and they, I believe—

Hon. Mr. Wells: Toronto, not Metro.

Mr. Cassidy: Toronto, okay, all right. The Toronto board is one of the major boards in the province. As I say, I don't know the trustees' position—

Mr. J. R. Smith (Hamilton Mountain): Why is everything in Toronto?

Mr. Cassidy: And I wonder, Mr. Speaker, what it is about the trustees that they haven't been so forthcoming in putting their side of the case. If they honestly support the minister's bill and if they are aware of the fact that the hon. minister is under tremendous fire—not just from the teachers who had submitted their resignations but also from the remaining 98,000 teachers across the province—what is it that has led the trustees to remain so silent? Don't they believe in the position that they seem to have enunciated with the hon. minister?

Let me return to what I was saying, Mr. Speaker. The minister says he couldn't have carried the trustees along with him. I suggest to the minister that if he had wanted to, he could. The carrot he could have put forward to the trustees was harmonious board-teacher relationships over the rest of this decade. The carrot he could have offered to his own party was that the teacher situation would remain pretty stable and would not cause the Conservative government great problems until the end of the decade.

Hon. Mr. Wells: That's precisely the position I put to them.

Mr. Cassidy: It is pretty clear to me and I think it is one of the tragic things about this week, Mr. Speaker.

I point out to the minister, though, that in 1973 we have now set a pattern—this government has set a pattern—which will permanently impair and harm teacher-trustee relationships and teacher-government relationships right through the decade. And it wasn't necessary.

The pattern in the federal government where employees do have the right, in advance of negotiations, to choose either binding arbitration or the right to strike is, I think, that only five groups at any time have actually picked the right to strike. The overwhelming majority have taken the route of binding arbitration.

I suggest, Mr. Speaker, to the minister that the teachers of this province are very similar in temperament—or were very similar in temperament—to federal public servants. That is that, basically, as long as they knew they had the right should they ever need it, most of them did not want to be in a strike situation. Most of them didn't even want to be in a position where they were leading into a strike situation. So long as they knew that part of their collective bargaining rights was that this option was available, they would have been satisfied with voluntary binding arbitration or some kind of equivalent in cases of total impasse between a board and a particular set of teachers.

Mr. Speaker, there are a number of things I want to put on the record in this particular debate. It may have struck you that I am not being particularly political in what I have to say. I feel so desperate and so desolate about this.

An hon. member: Oh no.

Mr. Cassidy: I really find it very difficult to be political and to call the minister names and that kind of thing. Other members of my party have told the minister that he should withdraw the bill and resign. Of course I agree with that.

Mr. F. Drea (Scarborough Centre): Et tu, Brute?

Mr. Cassidy: I know the plea falls on deaf ears. I suspect the minister is so stubbornly entrenched in his present position that he will be unmoved by the spectacle or the sight on Tuesday of 30,000 or 40,000 teachers in Toronto who have come out and taken a day off work because of their concern for the future of education in this province.

He will destroy education in this province, Mr. Speaker, and still be unmoved if teachers, if some trustees and other people like that, express concern about the quality of education and what is happening in our schools.

I would remind the minister, too, that many of the trustees, who he says are so fervently on his side include, let's say doctors who through their association have now opposed the bill. They have opposed the bill, I would say, for the very cogent reason that they do not want to see their form of bargaining rights with this government undermined by a form of compulsory arbitration. That is true of the lawyers who serve on school boards as well, Mr. Speaker. I don't know about the housewives who serve on the boards but what about the businessmen who serve on the boards, who also tend to be from the class and group of society who simply don't understand the need for free collective bargaining?

Mr. J. R. Smith: What city is that? What board?

Mr. Cassidy: What is that? Where there are businessmen on the board?

Mr. J. R. Smith: Yes, businessmen; which one?

Mr. Cassidy: I didn't say just businessmen. There are all sorts of people on the boards and the boards are beginning to change.

I think evidence of the fact that the boards are changing is that the Toronto Board of Education has come out four-square against this bill. The Toronto Board of Education happens to be one of the boards of trustees which has seen the most significant electoral changes in its composition, its class and in its thinking about education. That has been going on in Toronto for three or four years and, as these things tend to happen, those changes will happen in Toronto first.

Mayor Crombie at city hall and the people who are on the board of education here are quite different from those on most boards of trustees across the province.

We have a good board of trustees on the Ottawa Board of Education. I have great respect for them. I am in frequent communication with them. They don't yet realize, I am afraid, that they occupy a political position and they make political decisions about the expenditure on that board of some $50 million a year. They are setting priorities; they are making choices and that kind of thing. They don't really see themselves as being a political body in the same way that municipal politicians do. But that will come; that is coming. That board in Ottawa is a year or two behind the board down here in terms of consciousness.

Even my friends on the Ottawa Board of Education, with one exception—a trustee to whom I haven't been able to get back to return his call but who I know is adamantly opposed to this legislation—my other friends on that board have not called to say: "We really think the minister's bill is a good one." I know the member for Wentworth has had no calls from the Wentworth County Board of Education. Has the member for Port Arthur had any calls from any trustees supporting the legislation?

Mr. Foulds: Absolutely none.

Mr. Cassidy: The member for Port Arthur, who is the education critic for his party—

Mr. Deans: Even the member for Hamilton Mountain hasn't had any calls supporting the legislation from trustees.

Mr. J. R. Smith: Perhaps they support it. The chairman supports it.

Mr. Cassidy: If they support it, where are they?

Mr. Foulds: They are being very quiet about it.

Mr. Cassidy: That is right. They sure aren't —I mean it isn't a matter of having 2,000 trustees massed in front of the Legislature. It isn't something like that. It isn't a matter of their chartering buses—

Mr. Deans: And their future isn't at stake.

Mr. Foulds: They haven't even taken the minister quietly aside and whispered in his ear.

Mr. Deans: Just wait until he tries to introduce legislation dealing with their salaries and their working conditions. Then see how quickly they act.

Interjections by hon. members.

Mr. Cassidy: It would be nice for these doctors and lawyers and housewives and other people, if they feel so vehemently about the government legislation rather than so ashamed of it—

Hon. Mr. Grossman: Why does the member bring doctors in? His party wanted to control doctors' fees.

Mr. Renwick: We have never advocated compulsory arbitration of doctors' fees.

Hon. Mr. Grossman: Of course they did.

Mr. Renwick: We did not.

Mr. Cassidy: We have always advocated negotiation; that is right. This government has simply—

Mr. Foulds: In Saskatchewan, we increased their incomes by $6,000 a year, the year after Medicare came in.

Mr. Cassidy: It was more than that. It was about $10,000 a year.

Mr. Deans: What is that member doing? Walking out in a huff?

Mr. Cassidy: Mr. Speaker, I am not suggesting the trustees come down and vote with their feet. The reason the teachers have been coming down is because they know of no other way to influence the government.

They have also been using the more conventional techniques. They are writing letters; they are sending in droves of telegrams.

Hon. Mr. Stewart: At the request of the member's leader. At the specific request of his leader.

Mr. Deans: That is not so.

Interjections by hon. members.

Mr. Renwick: That is not correct.

Mr. Deans: That is nonsense.

Hon. Mr. Stewart: Absolutely. Outside that door he asked them to do it—right outside that door—and we who sat in here heard him say it.

Mr. Cassidy: That's absolute nonsense.

Mr. Deans: That is absolute claptrap.

Hon. Mr. Stewart: What did he say?

Mr. Deans: He said: "Why do you not disperse?" That's what he said.

Hon. Mr. Stewart: He said: "Go back and mount public opinion and come back." Those were his words outside that door.

Mr. Deans: He did not ask them to send telegrams.

Hon. Mr. Stewart: The member talks about instigators of trouble.

Mr. Speaker: Order!

Interjections by hon. members.

Hon. Mr. Stewart: Then deny it.

Mr. Deans: I deny it. Mr. Speaker, on a point of order—

Mr. Cassidy: Mr. Speaker, I have a few telegrams here that I want to talk about.

Mr. Speaker: Order, please!

Mr. Deans: I deny it, Mr. Speaker. On a point of order, the minister asks me to deny that my leader asked them to send telegrams and I deny it. I was standing beside him. The minister was in here; he was afraid to face the people out there.

Mr. Speaker: Order, order!

Hon. Mr. Stewart: He stood right outside that door and asked them to mount public opinion; he asked them to mount public opinion.

Mr. Renwick: He asked them to disperse peaceably and the minister knows it.

Mr. Deans: He asked them to disperse peacefully. It was reported in the press.

Mr. Speaker: Order!

Mr. Renwick: The minister can't get away with that kind of canard any longer and he knows it.

Mr. Cassidy: The Minister of Agriculture and Food knows perfectly well that every Tory backbencher is talking to cabinet members about the kind of reaction they have had to the bill. The reaction to the bill was immediate and unprecedented in my experience in the Legislature and I suspect in the experience of other members. Nothing like it has happened so spontaneously since the Police Bill of 1963 or 1964, Mr. Speaker; nothing like it. The reaction from teachers has been overwhelming and has been spontaneous.

If the Minister of Agriculture and Food doubts that or doesn't believe it then he has far less political acumen and political judgement than I always thought he had.

Mr. Deans: I don't think he has got very much.

Mr. Cassidy: I used to think that of the sorry lot in the cabinet he had more than the average, but I'm not so sure any more.

Mr. Speaker, the leader of the ND Party did not talk to the schools in Ottawa, not at all. My own kids' school, the school my children were at last year—

Mr. Lewis: Mr. Speaker, I am sorry, I don't like interrupting a colleague. I want to get up on a point of personal privilege. There has been too much said about—

Mr. A. Carruthers (Durham): By the member.

Mr. Lewis: —an incident that occurred—by Tories.

Mr. Carruthers: By the member.

Mr. Lewis: By Tories. I just want to say, simply on the record, and I am assuming that I will be believed as the Minister of Education asked that he be believed, particularly since there were a number of my colleagues beside me and oodles of press all around—

Interjections by hon. members.

Mr. Lewis: —that I stood right outside these doors and I said, very simply: "Don't make a martyr of the minister. Don't press it on him this way. Disperse quietly. Go back to your federations and do whatever you think you should do to mount the battle on your behalf, and we will do—"

Mr. O. F. Villeneuve (Glengarry): Mount a battle, that is right.

Mr. Lewis: —"and we will do whatever we think we should do to represent your cause in the Legislature." It was as simple as that. And I say—

Interjections by hon. members.

Mr. Carruthers: He said more than that.

Hon. Mr. Stewart: He said more than that.

Mr. Deans: That is not what the minister said.

Mr. Renwick: That is not what he said.

Mr. Lewis: I think that the—

Mr. Deans: That is not what the minister said.

Mr. Renwick: The minister is lying.

Some hon. members: Withdraw!

Mr. Lewis: And I think that the—

Interjections by hon. members.

Mr. Speaker: Order please, order please.

Mr. Lewis: I just wanted that on the record, Mr. Speaker.

Mr. Speaker: All right, I think the hon. member for Scarborough West, firstly, is quite entitled to make that correction. The record stands corrected and I think all hon. members should accept his word.

However, the hon. member for Riverdale, even though interjections are out of order, did interject certain comments which I am sure he realizes were not in order and should be withdrawn. He accused another hon. member of lying, which is against the rules of the House, any House.

Mr. Renwick: I realize, Mr. Speaker, it is against the rules of the House, but, prefaced by the very remarks which you made, that the leader of this party was entitled to have

his statement accepted verbatim, as he gave it, when he had completed it, the Minister of Agriculture and Food persisted in the canard which he quoted across the House, which caused the leader of this party to come into the House to correct it. I withdraw the statement; I expect the Minister of Agriculture and Food to stand up and withdraw his statement.

Hon. Mr. Stewart: Well, Mr. Speaker, if I may speak to the point of order; as I heard the statement made, it was to disperse—

Interjection by an hon. member.

Hon. Mr. Stewart: Yes, I heard.

Mr. Renwick: I am asking the minister to withdraw the statement that he made which has now been categorically denied by the leader of this party, and if he does not, then my statement stands as correct, that the minister does not accept his word, and persists in a lie.

Hon. Mr. Stewart: Well, Mr. Speaker, my hon. friend interprets what he said. I said that my hon. friend, the leader of the New Democratic Party, said outside this door, to mount public opinion against the bill.

Mr. Deans: That is not so.

Mr. Cassidy: That is not what the minister said.

Hon. Mr. Stewart: That's what I said. Now then, what is mounting public opinion? Mounting public opinion—

Mr. Lewis: That is not what I said. I told them to go and do whatever they felt they should do on their behalf and we would work conjointly in the House. And I tell the minister, if I may on a point of privilege; let me tell the minister something: I was really concerned that they might do damage to their cause by acting in an unduly volatile fashion, and I was trying as hard as possible to get them to leave. I even said: "Perhaps you could disperse through the halls in single file." I tried to be funny about it.

I really ask the minister to accept the fact that the last thing in my mind at that point was inciting anybody or asking for anything; I wanted it to be quiet.

Hon. Mr. Stewart: I never suggested that, Mr. Speaker, at any time—

Mr. Deans: The minister was attempting to leave that impression.

Hon. Mr. Stewart: —that my hon. friend said to incite them in this building, but I did hear him say: "Go home and mount public opinion in your support."

Mr. Renwick: That is not what the minister said in this House a few minutes ago when he started this.

Mr. Speaker: I do understand that the—

Mr. Renwick: I am fed up with the Minister of Agriculture and Food blowing his top off here about matters that he doesn't understand and distorting what takes place.

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. minister has made certain statements which purport to be what he understood was said. They may be incorrect, the hon. member has said they are incorrect—

Hon. Mr. Stewart: I think I understand them pretty well.

Mr. Renwick: I understand, too. I am sick and tired of the minister.

Mr. Speaker: That, I think, should resolve the situation. I understand the hon. member for Riverdale has withdrawn the unparliamentary term that he used—

Mr. Renwick: You are correct, Mr. Speaker.

Mr. Speaker: Therefore, I think the matter rests.

Mr. Cassidy: Thank you, Mr. Speaker. Just let me make one reference to what happened outside the House. The Minister of Education came out there on the steps; I was out there, and in fact I said to him: "Look, you are not going to go inside, are you?" At that point he stopped; he was about to go inside, but he turned around in order to speak to the teachers, as I think was proper.

The very first thing he said, Mr. Speaker, was: "I am only doing it for the children." You know, if anybody was provoking or inciting the teachers, I think it was the Minister of Education—

Hon. Mr. Wells: Oh, come on.

Mr. Cassidy: —with that particular comment. And I have to say this, Mr. Speaker, that it brought to my mind the efforts by the Socred government in British Columbia, with which this government is beginning to show a remarkable number of parallels, when during the 1971 election campaign there was a deliberate attempt by that government to provoke pickets into striking cabinet min-

isters in order to get public sympathy on behalf of the government.

I don't know whether the minister realized what he was doing. It may have been that that naivety and innocence of his, and his complete lack of understanding of what's happening was responsible for that kind of comment. All I know is that that kind of fatuous sophistry is a terrible way to open up any kind of a dialogue on behalf of teachers.

Of course, they're worried about the children. They spend their lives at it, whereas this minister is a bird of passing who will be Minister of Education for two or three years and then will go on somewhere else, leaving the wreckage behind him.

Hon. Mr. Wells: We have a few comments the member made about teachers.

Mr. Cassidy: Okay, sure. About some teachers, eh? Could the Minister of Education elaborate, please?

Mr. Speaker: Order, please. Let's get on with the discussion of the bill.

Mr. Cassidy: Mr. Speaker, I made some comments about the people in the schools for the deaf who have been responsible for the disasters the last 70 years, and the minister promptly assumes that I meant teachers. He could not see that it was the policy-makers in the various ministries of education and the senior administrators who have been running the schools who were responsible for the problems. The tragedy, as I said later during that same debate, was the waste of time of the teachers who have been involved in an outdated system which was imposed upon them by the government.

Hon. Mr. Wells: That is not what the member said.

Mr. Cassidy: I have the Hansard right here.

Hon. Mr. Wells: Explain.

Mr. Speaker: Order, please.

Mr. Cassidy: But it was so typical of the minister—

Mr. Speaker: Order, please. Would the hon. member get on with the discussion of this bill?

Mr. Cassidy: —immediately to assume, Mr. Speaker, that I was referring to teachers because of his anti-teacher bias.

Mr. Speaker: Order.

Hon. Mr. Wells: The member for Ottawa Centre has the anti-teacher bias. See what they think about him in the schools for the deaf.

Mr. Cassidy: From the staff of the school on Elgin St., where my kids were at school last year before we moved down to Toronto for a few months, this telegram says just very simply:

RE EMERGENCY LEGISLATION: HELP.

I think that sums up all of the telegrams that I've had, Mr. Speaker. I've had about 50 schools or staff rooms or groups who were obviously teachers out of the Ottawa system in touch with me so far. I think the minister knows, so I needn't repeat the kind of theme of the telegrams. They're really dismayed, though. Here's one:

AS TEACHERS WE ARE ASKED TO TEACH POSITIVE SOCIAL VALUES AND AN AWARENESS AND RESPECT FOR THE EQUALITY OF OUR FELLOW MAN. DO AS I SAY NOT AS I DO MUST BE THE MOTTO UNDER WHICH THE GOVERNMENT OF THE DAY FUNCTIONS.

That's from the staff of St. George's School.

And then there's a whole litany, Mr. Speaker: St. Basil's School, St. Joseph's Junior High, St. Anthony's Separate School, the special services and the separate school boards and St. Louis School. These aren't people that were ordered to do something by the leader of the NDP. These are teachers, most of whom I don't know anything about. I've never met them in my life.

Among them are telegrams from 25 teachers; seven teachers from the media centre; eight people—probably teachers; 24 people; St. Elizabeth School in Ottawa; Queen of the Angels School; Holy Rosary School; St. Luke's School; Holy Cross School; Our Lady of Victory School; Corpus Christi School; the staff at St. Michael's; the staff of Canadian Martyr's—and they're sure being made martyrs by this minister; Our Lady of Perpetual Help; the staff of St. Leonard's; the staff of St Victor's; the staff of McMaster; the teachers at St. Leo's School; the staff at St. Michael's; the staff at St. Mark's; the staff at St. Christopher's; another group of 15 teachers; another group of 10 teachers; a group of 15 teachers; 10 teachers; 20 teachers; 15 teachers; 11 teachers; 14 teachers.

A teacher who is a personal friend of mine sends this telegram:

HOLD UP BILL 274 AS LONG AS POSSIBLE THEY CANNOT SAY I CANNOT QUIT MY JOB.

Then there are these individual telegrams:

I PROTEST MR. WELLS' DRACONIAN ATTITUDE.

AS A TEACHER I PROTEST THE LEGISLATION.

I STRONGLY PROTEST.

The president of the Ottawa Women Teachers' Association sends a telegram of protest from her association.

Somebody from Hazeldean says:

I DISAGREE STRONGLY WITH YOUR EMERGENCY LEGISLATION.

There is one from the OETCA, and the minister has seen that telegram.

Here is a telegram that was actually sent to the member for Sandwich-Riverside (Mr. Burr) from the staff at Ecole St-Antoine, 1317 chemin l'Espérance, Tecumseh, Ontario in the Windsor area, which says:

CHER MONSIEUR BURR: C'EST UNE INJUSTICE FLAGRANTE A NOTRE SYSTEME DEMOCRATIQUE QUE D'ACCEPTER LE BILL 274. NOUS LES PROFESSEURS DE LA SECTION FRANCAISE DE L'ECOLE ST-ANTOINE CONTESTONS UNE TELLE PROCEDURE DE LA PART DE NOTRE GOUVERNEMENT.

It is signed Mlle. Bornais, Mme. Fields, Mme. Soulliere, Mme. Teno, Mme. Cassidy, Mme. Symons, Mme. Parent, Mme. Bordeleau, M. Roy, M. Perrault.

These are no relations to the member for Ottawa East (Mr. Roy) or to myself, I guess.

The staff at St. Augustine say:

IT'S AN UNDEMOCRATIC AND DICTATORIAL ACT.

The teachers at McNab Park School in my riding say:

UNDEMOCRATIC. EVERY EMPLOYEE MUST HAVE THE RIGHT TO RESIGN.

The teachers of St. Agnes in my riding:

THIS INFRINGEMENT UPON CIVIL LIBERTIES CANNOT BE TOLERATED. WE ASK FOR YOUR INTERVENTION.

The staff at St. Mary's separate school:

THE LEGISLATION CONTRADICTS COLLECTIVE BARGAINING RIGHTS AND A JUST DEMOCRATIC SYSTEM. WE ASK YOUR SUPPORT.

The teachers at Our Lady of Fatima:

WE REGARD THIS COMING LEGISLATION AS DICTATORIAL INTERFERENCE WITH OUR CURRENT NEGOTIATIONS WITH OUR BOARD.

The staff of St. Raymond's junior high school:

THE BILL IS TOTALLY UNACCEPTABLE FROM BOTH A MORAL AND A LEGAL STANDPOINT AND ONE CANNOT IN CONSCIENCE BE A PARTY TO UNJUST AND INHUMANE LEGISLATION.

And then more telegrams, Mr. Speaker:

WE URGE YOU TO SUPPORT THE TEACHERS. THEY HAVE MADE MANY SACRIFICES FOR THE GOOD OF EDUCATION AND IN THE INTERESTS OF THE CHILDREN OF ONTARIO.

And I can't tell whether that comes from teachers or from other people. And another one from a group of teachers:

WE WANT JUSTICE AND FAIR LEGISLATION AND A FAIR WAGE. THE REASONABLE DESIRE OF ONTARIO'S TEACHERS TO NEGOTIATE WITH THEIR EMPLOYERS AS OTHER ORGANIZED GROUPS OF EMPLOYEES DO, AND THOSE FUNDAMENTAL AND BASIC CONDITIONS OF EMPLOYMENT WHICH AFFECT OUR EVERYDAY TEACHING HAS BEEN AND IS BEING TOTALLY DISREGARDED. TEACHERS RECOGNIZE THE AUTHORITY AND THE RIGHT OF THE EMPLOYER TO HIRE, FIRE, PROMOTE AND DISCIPLINE EMPLOYEES, BUT TEACHERS ALSO ASSERT THEIR RIGHT TO NEGOTIATE THE METHODS, PROCEDURES AND STANDARDS GOVERNING THE EMPLOYERS WHO EXERCISE THE POWER, AND THEY DEMAND THE RIGHT TO NEGOTIATE THE PRINCIPLES OF PROMOTION, OF TRANSFER AND OF CLASS SIZE.

Well, more teachers and more teachers—another group of 15 teachers, Mr. Speaker. I don't know how many that amounts to. In the telegrams that I've had, it represents something more than 1,000 teachers, mainly in the Ottawa area. Now that is pretty incredible reaction, and those people in those staff rooms who sat around at lunchtime or after school, deciding whether or not to send a telegram down to me or down to the minister or down to other people, weren't at the behest of anybody from my party or the Liberal Party or anywhere else. They did it because of their feeling that their trust had been betrayed by the Minister of Education and by the government.

Let me just say, Mr. Speaker, that when the minister rose in the House, a week ago yesterday I guess it was, to say that he didn't really want to interfere with the free bargaining process because he—what did he say now?

At the present time, free bargaining is going on between certain parties and I think it becomes very crucial that we not interfere with that bargaining process at this particular point. I am hopeful that settlements will be reached in most of these areas.

That was the minister's comment eight days ago today—yes, eight days ago today. He was hopeful that settlements would be reached in most of those areas and he was sending mediators out to the boards that were involved. And the record shows, Mr. Speaker, that in fact, although negotiations may have been at an impasse in those 17 boards, that the contact between the two sides was continuing in every case. And it's an axiom of labour-management relations that, in fact, they sometimes tend to be crisis-oriented.

In other words, a strike deadline, a lock-out deadline, some other kind of deadline, concentrates the mind wonderfully; and therefore, as a consequence, the bargaining teams will sit down and bargain for 20 or 24 hours at a time, just on top of the deadline, when finally there is a break and both sides can see their way to bargaining.

And it is that pressure of deadlines, Mr. Speaker, that is one of the things that makes the negotiating process work. Everybody is aware that if there was no time limit at all and no sanctions that could be brought by either side, the negotiations might go on interminably; and in fact that there would be no good-faith bargaining at all. But here we were coming up to the crunch period, the final three weeks before these mass resignations were due to take effect in these 17 boards. The point I am making here is that the teachers and the boards were still talking.

We know what happened in Schreiber and Terrace Bay. In Chapleau separate board where 74 per cent of the teachers have submitted resignations, the board was to meet on Sept. 4 and the teachers had asked to meet the board as soon as possible, accompanied by federation representatives. That sounds pretty normal and pretty healthy. Things were happening in that particular board.

In Sudbury separate board, 83 per cent of the teachers submitted resignations; the next meeting between the two sides was planned for Dec. 5. This information is about one week old. Nipissing separate board, 93 per cent of the teachers submitted resignations; negotiations were continuing but a settlement was not expected by the board until Dec. 29 or Dec. 30.

In the Essex county secondary board of education—the secondary panel—the board had requested voluntary binding arbitration and it was up to the teachers as to whether or not they would agree to go to voluntary binding arbitration. They had not yet agreed but 97 per cent had submitted their resignations. Essex county separate board, 80 per cent submitted resignations; the last meeting was held a week earlier on Nov. 28.

Windsor separate board, 85 per cent resigned; the next meeting was planned on Dec. 10. Secondary teachers of the Perth county board, 95 per cent resigned. They met on Nov. 28 and they weren't sure when the next meeting was going to be held but within a week of this survey being taken there had been a meeting between the board and the teachers.

Huron-Perth separate board, 94 per cent submitted resignations; the board was unhappy with its meetings with the OECTA and was seeking to reopen negotiations with the local teacher negotiating committee. Fair enough. That was the strategy the board was using. The point was that things hadn't broken down. The board was trying another tack because it was finding I guess that the OECTA representatives were too difficult to deal with. They were being too tough, or whatever. I don't know.

Wellington county separate board, 95 per cent resigned; a meeting was scheduled to negotiate on Dec. 4. Ontario county separate board, 93 per cent resigned; the next negotiations were postponed until the trustees met on Dec. 8. York county board, 77 per cent resigned; the next meeting was scheduled for Dec. 6. Of the secondary teachers in the Frontenac county board area, 92 per cent resigned; the next meeting was on Dec. 5. Of the elementary teachers in the Carleton board area, 81 per cent submitted resignations; the board didn't plan to act on those resignations for a couple of weeks and both parties were considering if they would recall the Ministry of Labour negotiator.

I'll stop a minute on that particular one, Mr. Speaker, because a very funny thing happened with the Carleton public board as a consequence of this particular intervention by the minister. What happened, in fact, was that the day that the legislation was submitted to this House, or the day it was printed, which was on the Tuesday, I believe, the board met and instructed their salary subcommittee to meet and to study the proposed legislation governing current teachers' salary negotiations in Ontario and to submit a report to the full board thereon together with any necessary recommendations to proceed to arbitration and that this report should come to the next meeting of the board.

In other words, the negotiation process during the final three weeks before the mass resignation deadline was simply short-circuited by the minister's action. Any form of free collective bargaining, any attempt to try to reach a settlement during those crisis-laden final hours was simply short-circuited and the board instructed its salaries committee to find out how it could get into binding arbitration or compulsory arbitration as quickly as possible.

This, Mr. Speaker, in a board where the teachers have been working without a salary agreement for a period of about 19 months. In 1972-1973 there was no agreement there

and those teachers had been going for a year and a half without a request.

It is very funny as well, Mr. Speaker, in this particular case with the Carleton public school board. Let me go back a year. In the year when they didn't have a contract, when it was clear that an impasse was coming, the teachers suggested to the board there should be binding arbitration on a voluntary basis. The board said, "No, because you can't change the rules again in midstream."

So when this year's negotiations began in February, 1973, the teachers said again, "Since we're starting a new round of negotiations, since we never made it to a contract last year, will you, the board, agree to voluntary binding arbitration if we again get an impasse?" This time the board, which was clearly unwilling to go that route, said, "No, because the minister has some legislation in the tap and it is going to come down into the Legislature very shortly. Therefore we won't agree this time either."

But when the minister comes down with compulsory arbitration and with the commitment that the arbitrator cannot exceed ministry regulations—that is, he cannot go beyond ministry ceilings—the board immediately ceases negotiating and goes and instructs its salary committee to get into binding compulsory arbitration.

Prescott-Russell, 94 per cent of the teachers had submitted resignations—that is the secondary panel; the next meeting to negotiate was planned for Dec. 17.

Carleton separate board, 93 per cent resigned; negotiations were at a stalemate but the board was meeting on Dec. 4 to discuss the matter. That was a case where the very civilized relationships that have existed between boards and teachers were in fact breaking down, because the Carleton separate board simply refused from the very beginning of negotiations to discuss working conditions in any way at all.

I think I have my figures correct here, that in that particular case in the Carleton separate board, the mediator suggested a settlement of 5.5 per cent on the basic scale and the settlement was rejected by both sides, Mr. Speaker—not just by one side or by the other. The proposals for that particular board were rejected by both sides.

The point of all of this, Mr. Speaker, is this: Free collective bargaining, in its halting and rather uncertain and imperfect way, was proceeding in every last one of the 16 boards on whom the minister has now imposed compulsory arbitration. It seems to me the minister was perfectly correct last week when he said he hoped most of those disputes would be settled by the time the date for the mass resignations was going to come around.

In other words, Mr. Speaker, it was a phantom crisis that apparently existed only in the mind of the minister and of a very few of his advisers. I don't know whether there are some teacher representatives here or not, but I know that when they woke up on Monday morning they didn't perceive a crisis.

I suspect the negotiators in the OECTA were looking forward to a pretty rocky three or four weeks and some of them who have wives and families were telling their families that they wouldn't be able to participate too much in the normal Christmas celebrations because of what was happening. But that is normal in labour-management relations, Mr. Speaker, that there is a certain crisis atmosphere at times. It is normal, perfectly normal, and for that to have happened I can't see the minister getting spooked and frightened just by the fact that a few boards were in trouble.

I think there is something else that needs to be said, Mr. Speaker. Let me put it this way. There is very clear evidence that in fact what has been happening with this bill is the following: We have a Minister of Education who, through the ceilings, establishes how much individual boards can spend and therefore establishes—let's face it, since salaries are two-thirds of the total budget—how much a board can afford to offer in pay increases in any year given no change in the pupil-teacher ratio, or alternatively, sort of sets the range; if they want to offer a 10 per cent pay hike, then according to the policy as laid down by the minister, the teachers have got to accept a four or five per cent increase in class sizes.

Now that is one arm of the minister. With another arm, we have a minister saying to the teachers, "You must submit to compulsory arbitration." He is not just saying it to 7,000 teachers, Mr. Speaker; he is saying it to 105,000 teachers. Because they know that at any time there is trouble and the trustees know now that if the government continues with its present course, that any time there is trouble they can go to compulsory arbitration and it will be the kind that's stacked in favour of the ministry and in favour of the trustees, in favour of the school boards and against the teachers.

Aimé Arvise, who I think the minister knows, is a trustee on the Ottawa separate school board—a respected citizen of Ottawa. He is no New Democrat who is using his

position on the school board in order to say things that are unfavourable to the government. He stated in November of this year, just a month ago, that the separate school board is not opposed in principle to an increase equal to the increase in the cost of living, but the board doesn't have the ability to pay it.

And the same kind of thing was said by the chief negotiator for the Carleton separate school board. "There is a limit to what we can negotiate. Teachers must have salaries, but if we negotiated working conditions such as the pupil-teacher ratio that the Carleton separate teachers were requesting, we would bankrupt the board."

What's happened, Mr. Speaker, is this: The teachers who submitted mass resignations were really not submitting those resignations against their individual boards. They were being put in a position where they had no choice but to have a kind of strike against the Minister of Education and against the ceiling policies that deny them any kind of fair and humane treatment in the economy of Ontario as it stands today. The minister shakes his head—

Hon. Mr. Wells: The member is wrong.

Mr. Cassidy: One of the reasons that it's mainly separate boards that are out is the fact that the Ontario English Catholic Teachers' Association has been more united. There is only one association negotiating with the separate boards and it has taken some time for the Federation of Women Teachers' Associations and the Public School Men Teachers' Federation to get together with the kind of militancy that they have begun to show this week. That's one of the reasons that the elementary teachers and the Catholic schools have been more adamant about this.

Another reason is very simply the fact that while public school teachers are badly paid, the teachers in the separate schools are worse paid. Again, part of that relates to the ceilings and the weighting factors which are imposed on the government, which in effect make it impossible for the separate boards ever to catch up on those decades and generations when they were the underprivileged school system of the province.

I want to talk some more about this fact that—let me see now, 75 per cent of the teachers who submitted their resignations were elementary teachers, and only 25 per cent were secondary teachers. I think there is something very significant in this because, Mr. Speaker, I think we sort of tend to assume a bit too much about just what teachers are and who they are and so on. I think there is a view on the part of the government that teachers make $12,000 or $13,000 or $14,000 a year. That they live a middle-class kind of style of life. That they have cars, cottages, snowmobiles—the kinds of things that the minister enjoys—

Hon. Mr. Wells: I don't have any of them.

Mr. Cassidy: —that they are pretty well off. Therefore, I think that there has been a deliberate attempt by the ministry and the government to exploit that and to give that view to the public. The public is made to feel that teachers' salaries are up at an astronomical level—well above what the average guy earns—and which are "bankrupting the system," to use the minister's words and making education such a heavy cost.

Mr. Lewis: That's right. In fact, salaries are deplorably low.

Mr. Cassidy: That's right. Now, the facts are, Mr. Speaker, that we wouldn't be in the situation—

Hon. Mr. Wells: I can't afford the kind of life the leader of the New Democratic Party leads.

Mr. Lewis: Who can't afford it?

Hon. Mr. Wells: I can't.

Mr. Lewis: The minister can't? Well, well. Would that that were true.

Mr. Cassidy: The facts are, Mr. Speaker, that two years ago, a very deliberate decision was made by this government that it was going to shift its priority from any kind of spending in the social sector and move it over to such things as the Krauss-Maffei urban transit system—a billion and a quarter dollars over a few years. This is the kind of area where the government is trying to spend its money right now and it has held back in every area of social spending —particularly education.

I spent a long time last night, Mr. Speaker, thinking about this question and about teacher compensation because I was shocked when Derry Byrne, the president of the separate teachers in Carleton, told me two days ago that the average pay of the teachers in his board area was $7,850. I said to him: "I don't believe you. That really can't be true. The teachers, on average on that board, earn less than the average industrial weekly wage in the province of

Ontario?" And he said "Yes it is so. Look it up for yourself."

Then I began to look also at the way the salary negotiations were going ahead and the way in which teachers' salaries are structured. Now as the minister is well aware, beginning teachers come in at a relatively low salary and are then given experience increments of $200, $300, $400 and sometimes even $500 a year until they reach the top of the category in which they fit, for which they are qualified.

Now it's clear to me from my own experience, having done some teaching at several levels and from what I've seen of other people and so on, that those increments are justified. A teacher with five years' experience is a great deal more competent than a teacher who is brand new and green and just learning the ropes and who, in fact, ought to be interning under a master teacher rather than having full responsibility, in his or her first year, for a full class of 30 or 40 kids, as the ministry has it right now.

But at any rate, in the past if you look, for example, at the kinds of salary increments that have been paid or the percentage gains, they've been running around the pace of inflation over the years from 1969 to 1973 or 1974 for the levels, 3, 4, and 5—the better educated, better qualified teachers. Those percentage increases happen to have been running significantly below the rate of inflation for teachers at levels 1 and 2 and what is interesting, of course, is the fact that more than half of the separate school teachers are at levels 1 and 2 and about two-thirds of the elementary public school teachers in the Province of Ontario are at levels 1 and 2.

At any rate, Mr. Speaker, the increments in salary settlements, apart from the experience increments, have tended to compensate for the cost of living, leaving the experience increments as an increase in real income, which reflects the fact that teachers become more valuable as they teach more. That's the system which has got a hoary tradition in this province, and if the minister wants to change it he should say so and he should say so openly.

What we have now though, is we have the minister playing games and the school boards playing games, saying, "Well, we are offering eight per cent." The way they measure that is to take the salary bill for the previous year and take the salary bill for the coming year which includes increments, which includes new teachers with higher qualifications than the teachers they hired a year or two earlier, which includes teachers who have managed to upgrade themselves through night courses and that kind of thing, and say: "Well the total salary bill is eight per cent higher."

So it may be, but not for the teachers in level 1 for example, who have been teaching for five or six years and who want to make a career of teaching and who happen to have only a teacher certificate.

Let me read into the record the kind of increases that they've been getting in their maxima on average across the Ontario boards over the last few years.

This is for any career teachers out of teachers' college who had been in the profession for more than about five or six years in the late 1960s. In 1970, they got 1.7 per cent. In 1971, on average, 4.3 per cent; in 1972, on average, 2.85 per cent; in 1973, on average, 3.37 per cent and in 1974, on average, 5.11 per cent.

I may say that's in a year when the cost of living is currently running at 9.3 per cent ahead of last year.

In other words, once teachers with the basic teachers' college requirement—which is all the ministry ever asked for until two years ago—got up to the top of the scale, and that came pretty quickly, they were treated like beggars, just like beggars, Mr. Speaker. Whatever the school board was doing on average, it sure wasn't doing very much for the teacher who had been in for six or seven years and just had the basic qualifications.

It is very similar for the teacher with level 2—that's a year of post-secondary education in addition to the teachers' college qualification. I won't read the figures into the record but the picture is very similar. For a teacher who reaches the top of the scale, and they do that any time between five and 11 years, the pay increases provided by boards in this province over the last few years, for as long as I have been able to check into it, are simply quite inadequate.

I don't know at what level teachers ought to be compensated. It's a very difficult kind of question and sometimes it fluctuates up and down. It fluctuates up, for example, when teachers are in strong demand. The relationship between teacher earnings and other earnings in society may fluctuate down a bit at times when there is an over-supply of teachers. I am damn sure, though, and it's part of my philosophy—it makes sense to me—that people who are in the serving and helping professions in the social services, who do such a vital job—such as teachers and one can

include health workers and social workers and people like that as well—it seems to me that although they are not sitting in a factory producing automobiles or stoves or cameras or whatever or in a food processing plant, although they are not actually producing goods which are sold on the market they are entitled to benefit from the increase in real incomes which is coming generally through society.

Nobody really believes that because the productivity of automobile workers, shall we say, has gone up by six times since the mid-1950s therefore they should now get six times the earnings. In fact, some of that is spread out in the form of lower automobile prices and other ways like that. There are mechanisms in the economy for doing that. Some of it is siphoned off through the form of taxation which is a source of revenue for the teaching profession, as I am sure the minister will remind us when he gets to make his reply in this particular debate.

When one finds that between a third and 40 per cent of the elementary teachers in the province are at the maximum for their category, and when one looks at the kinds of increases which are being offered to those teachers—when one looks at the kind of increases being offered to those people who have the dedication to make a career in teaching—I think it's shameful, Mr. Speaker. There has been absolutely no account taken over the past few years, in those incomes for those career teachers, of the increase in real earnings which has been going on for so many other members of this society, including the members of this Legislature; none at all. Their increases have been averaging around four or three per cent; that's enough, maybe to compensate them for the cost of living in certain years but not enough to compensate them for such things as the Ontario government health taxes or the increase in unemployment insurance benefits which teachers began to pay two or three years ago; nothing like that. For from a third to 40 per cent of the teachers, we are talking about people who are consistently getting pay increases in the range between about 1.7 and six per cent; most commonly in the range between about three and five per cent per annum. This is in a society where most industrial workers, most government workers in the civil service of Ontario, for example, have been pretty consistently, since the late 1960s, chalking up pay increases of seven or eight or nine per cent per annum. This, in effect, compensates them for inflation and gives them a real increase in income, the ability to buy something more than they could the previous year because of the fact that our society is becoming more productive.

What we find now, though, is that in fact the combination of the increments and the basic scale or increase may be enough for this year to compensate the bulk of teachers who are not at the maximum for the increase in the cost of living, but no more. That is the bind the teachers are in and that is one of the reasons they are here.

They are seeing a situation in which their real income will drop in this coming year by anywhere from one to five per cent with the settlements that are now either concluded, or that are being proposed, or that the boards have said they cannot exceed because of the ceilings. Is it any wonder then that they have acted in the way they did?

Mr. Speaker, let me just put in some more information about these teachers because I find it interesting. I spent some time preparing this and I think it is relevant for some future time when somebody sits down to read this debate and say, "What were the facts and figures? What was the situation? What on earth moved the Minister of Education and his government to such an extent that they had to disrupt teacher-board and teacher-government relationships for a decade or more?"

In the public boards, Mr. Speaker, in the contracts that have been concluded up until now, I am just going to read the median-maxima—if the members understand that—that have been concluded, but they are pretty representative of what the pay scales are. They may vary by $200 or $300 either way but the median is the most common one.

In the public schools, Mr. Speaker, 39 per cent of the elementary teachers in the public schools of this province are at level 1 or category 1. The maximum pay for those teachers when they reach the top of their scale in this current year is $8,000. Twenty-nine per cent of the teachers in the elementary schools of this province, Mr. Speaker, are at level 2, and the maximum for their pay in the new contracts that have been concluded is $9,900 after 11 years.

Another 14 per cent are at level 3. That is, they have had a couple of years of college or community college as well as their teaching certificate. The maximum there is a princely $11,600. Seventeen per cent of those elementary teachers are at level 4 or above, and for them the scales are a bit higher. At level 4 it goes up to a maximum of about $13,300. At level 5 or above level 5 it is about

$14,100. In fact, most of the teachers who get to that level will be principals.

But what is worth bearing in mind, Mr. Speaker, is that 68 per cent of the elementary public teachers in this province cannot under any circumstances earn more than $9,900, and 82 per cent of them, Mr. Speaker, cannot under any circumstances earn through their teaching more than $11,600.

The figures are slightly different in the north; I don't propose to introduce them. I think the hon. minister is aware that there are some differences. I am talking about the southern boards, which is where the bulk of the teachers are located.

Hon. Mr. Wells: They can move to other categories. The member gives the impression that they are locked in there. They can move to other categories.

Mr. Cassidy: Okay. Let me talk about this then, because I was going to mention this when I got to the quality of education.

The hon. minister is well aware that if one goes to York or Atkinson College or Carleton University or some of the other universities around this province that specialize or have a concentration in part-time academic studies, he will find droves and droves and droves of teachers there. They are studying history, they are studying psychology, they are studying sociology; they are basically bucking for degrees.

If the hon. minister goes into a university, as I have, and talks to some of the people who teach the extension courses, he'll hear some pretty loud and long complaints about some of the teachers who are not there really out of a love of learning, I am afraid to say, but who are there for strictly economic reasons. For every additional five courses they get, they can move up into another category and they can get into a higher qualification or a higher category, and therefore a higher pay level.

Frankly, I am very disturbed about that, Mr. Speaker. If a teacher voluntarily wants to go through and take night courses and take summer courses because it turns him on, or because he wants to improve his professional competence to deal with the kids and to deal with the kinds of problems he wants to face, then I give him every support in doing that. I suggest to you, Mr. Speaker, that there are a substantial number of teachers taking night courses and summer courses in this province whose university studies are, in fact, detracting from their professional ability to do a job with the kids. They are moonlighting in no different a way than are those teachers who are tending bar, who are filling gas tanks at pumps, and who are handling other jobs on the side in order to make ends meet for their families, because they know that every year and a half they get another five courses done and therefore move up another category. And that is what they are doing.

I would much prefer to see better spent the nine or 10 hours that many of those teachers spend at these night courses, and the month and a half of their two-month summer vacation that they spend taking sort of a class set of two summer extension courses. I really wonder whether in terms of what teachers want to do with kids whether that time mightn't be better spent talking with kids, relating with kids, preparing with kids and talking with other teachers about kids. I don't care. As professionals they are being distracted from what they do in teaching, because of the economic requirement to make a living to support a family. Therefore, they go to these night classes.

I tried to talk this week with the president of one of the teachers' federations in Ottawa, Mr. Speaker, and his wife said, "I'm sorry, he won't be in until 10:30." This was at 5:30 in the evening. He had gone straight from his school to university, and was intending to spend the entire evening there until 10.30 doing this kind of upgrading. He is also carrying a heavy load as president of his teachers' federation. I suspect he would contribute more to his profession, if he were financially able to, by either concentrating on his professional work and doing the teaching federation work on the side, or by taking the 10 hours a week he spends at university and maybe devoting that entirely to the work of the teaching federation in discussions with the boards and other things like that go on on behalf of the federation. That would make a lot more sense. But, for economic reasons, that particular fellow is upgrading.

Mr. Speaker, the median salary of public school teachers in the province in 1972-1973 was $8,200. That means that half of the elementary teachers in this province earned less than $8,200. The figure for 1973 will naturally be a bit higher, but you have to bear in account that principals' salaries are included among teachers'. Therefore, if you want to talk about teachers exclusively, more than half of the people who are teaching in the elementary schools of this province today earn less than $8,200.

I am going to put some figures on the record about this too, Mr. Speaker, because I was shocked to find this out. This is where the most important years of education are

carried out. If a year of secondary school is badly done, the child tends to be mature enough that he can recover. If the child is permanently thwarted, frustrated, turned off school and fails to learn basic skills at the elementary level, he may never recover. It is the Minister of Correctional Services (Mr. Apps), and the Attorney General (Mr. Bales) and the Provincial Secretary for Justice (Mr. Kerr) and the Minister of Community and Social Services (Mr. Brunelle) who will be spending thousands of dollars to retrieve the damage done at the elementary level.

Mr. Lewis: It is even more than that, because this should be one of the most highly paid groups in society. The government pays our PR friends around this Legislature, our executive assistants, all of the people who serve us, twice as much, two and a half times as much, as it pays the teachers of our kids in the schools. That is why it has inherited this problem.

Mr. Deans: Then the minister says his concern is for the kids.

Mr. Cassidy: Brant County Board of Education, Mr. Speaker; more than half the teachers earning less than $7,800. Bruce county board; more than half the teachers earning less than $8,000. Carleton Board of Education, one of the lowest figures in the province; more than half the teachers earning less than $7,500. Is it any wonder they are at an impasse with their board?

The Elgin County Board of Education; more than half earning less than $8,500. The Essex County Board of Education; more than half earning less than $7,500. The Frontenac County Board of Education; more than half earning less than $7,800. The Grey County Board of Education; more than half earning less than $9,000, but an exceptionally stable board where the average number of years of experience was 10, compared with an average of six for the province as a whole.

The Halton county board; more than half the teachers earning less than $8,600. The Hamilton board; more than half earning less than $8,400. The Hastings county board; more than half earning less than $7,900. The Huron county board; more than half earning less than $7,800. The Kent county board; more than half earning less than $8,200. The Lakehead board; more than half earning less than $8,100—and that's in northern Ontario.

The Lambton county board; $8,400 the median. The Lanark county board; $7,800 the median. The Leeds-Grenville county board; $7,500 the median. The Lincoln county board; more than half earning less than $8,300. The London board; more than half earning less than $8,000. The Middlesex county board; more than half the public elementary teachers in that system earning less than $7,800.

I stress again, Mr. Speaker, that if you update this for 1973-1974, these figures apply to the teachers in the elementary schools. The average will be a bit higher if you take in the principals. But the figures I am quoting apply to teachers in the schools who are teaching at this moment.

The Norfolk County Board of Education; more than half the teachers earn less than $7,700. The Nipissing Board of Education; more than half the teachers earn less than $8,200. The Northumberland-Durham county board; more than half earn less than $7,600. The Ontario County Board of Education; more than half earn less than $7,800. The Ottawa board; more than half earn less than $8,800. The Peel county board; more than half earn less than $8,300. Perth county; more than half less than $8,000. Peterborough county; more than half less than $7,800. Renfrew county board; the median is $8,200.

The Sault Ste. Marie board; the median is $8,300. The Simcoe County Board of Education; the median is $7,900. The Stormont-Dundas-Glengarry board; the median is $7,800, and more than half the elementary teachers in that system earn less. The Sudbury Board of Education; more than half earn less than $8,400.

The Etobicoke median is $8,900; North York, $8,700; Scarborough, $7,800; Toronto, $9,000; York borough board of education, $8,900.

In the Waterloo County Board of Education, more than half earn less than $7,700. Niagara South Board of Education, $8,300. The Wellington County Board of Education, $7,500. Wentworth County Board of Education, $7,900. Windsor, $9,100—another board with an exceptionally high level of experience. York County Board of Education, $8,000.

I don't know if it is significant, Mr. Speaker, but it happens that the median level of experience of teachers in the Scarborough board—the area where the minister comes from—is, as I recall it, the lowest of any substantial board in the province; and I just hope that isn't his influence. That suggests that the teachers don't even want to stay in the vicinity of the Minister of Education; when they get into a school in his riding, they clear out within three or four years.

Interjections by hon. members.

Hon. Mr. Wells: That's an uncalled for remark.

Mr. G. Nixon (Dovercourt): Like most of his remarks.

Mr. Cassidy: Well, maybe.

Mr. Speaker, about a third of the teachers in the province are in Catholic schools. I couldn't get this year's figures on the maximum for their various ranges. As the minister knows, they will tend to be between $100 and $400 lower than the corresponding figures for the public elementary teachers. Up at the higher parts of the scale the difference is sometimes quite substantially larger as much as $2,000 in certain cases. But I can't give him those figures; he knows roughly what they are.

In the case of the Catholic boards, the median experience is also about six years. The 52 per cent of the teachers have level 1 or level 2 and therefore, as in the public system, there is no way that they can make more than $10,000, no matter how long their experience. Thirteen per cent have level 3, 23 per cent have level 4—that is having a general degree, plus the teachers' college training; 11 per cent are at a higher level.

As in the public boards, Mr. Speaker, more than half of the Catholic teachers at elementary schools in this province—and, in fact, that includes grades 9 and 10, which are in the secondary system and wouldn't be counted with the public elementary boards—more than half the teachers in the separate schools of this province right now earn less than $8,000.

To put those figures on the record, what do they show? They show, Mr. Speaker, that we are not talking about a privileged middle-class group. We are not talking about a group who, in income, are in any way comparable with doctors or lawyers or accountants or economists or other groups like that, who derive income in one way or another from the government.

We are talking about an intellectual proletariat. We are talking about a situation where a very large proportion of all of the teachers in the province, including the principals and the consultants and the supervisors and the secondary specialists who are heads of departments and so on, where a very large proportion of those 105,000 teachers are earning an income which is adequate to support a single person, but is totally inadequate, either to maintain a family at today's prices in Ontario society, or to maintain the kind of lifestyle which has been expected of teachers by pupils and by parents, and by their boards and by this government.

How can they buy books if they are trying to maintain a family with a couple of kids on a salary of $8,700 a year? How can they take groups of three or four bright kids from the class, who deserve a break, and take them off to the Royal Alex if they are in Toronto, or to some other theatre presentation, and pay for that out of their pockets? There is no way they can do that, Mr. Speaker. There is no way they can do that at all.

There is something else about this too. Not only are the elementary teachers—and they are the ones who I am concentrating on because they are the ones who I feel most concerned about—not only are the elementary teachers an intellectual proletariat, but it so happens that they are also basically a female proletariat. Seventy per cent of the elementary teachers in the province, Mr. Speaker, are women, and they are the ones on whom this wage freeze is being put, with compulsory arbitration, by the Minister of Education.

The minister says: "Well, I have sent a little circular around urging the boards to give some advancements and some promotions and some principalships to women." But when it comes down to the crunch, Mr. Speaker, this ministry is as sexist and as biased against women as any other ministry in the government. And they have deliberately picked on a group who have submitted mass resignations of whom 75 per cent are at the elementary level, and of whom most of those are women. They have picked on them and said: "We are going to order you back to work, your contract is void."

Hon. Mr. Grossman: That's pretty devious. Some of the arguments have been fairly dispassionate up until now and the member brings that nonsense in.

Mr. Cassidy: That isn't nonsense!

Hon. Mr. Grossman: That's so devious, it is disgusting.

Mr. Foulds: Not so devious as this legislation.

Mr. Cassidy: No, it isn't. I hope that goes on the record. The Minister of Revenue thinks my comments are devious.

Interjections by hon. members.

Mr. Foulds: It's the government's legislation that is devious. It doesn't care that it's

devious, and it knows it; it is conscious of it, and yet it is going to ram it through.

Interjections by hon. members.

Mr. Cassidy: The minister sends three circulars around to the school boards, Mr. Speaker—

Interjection by an hon. member.

Mr. Cassidy —yet, only two per cent of the elementary principals in this province are women, and the number of women principals in the province has, in fact, been—wait for this—the number of women principals in the province has, in fact, been declining, rather than increasing, over the last seven or eight years, since the consolidation of school boards. Because, you see, women could be entrusted with a two- or three-room school, but with the consolidation, and the creation of schools with 300, or 400, or 500 pupils, neither the ministry nor the school board was willing to see those schools entrusted to the tender charge of a qualified woman teacher.

I tell you what is going to happen with the elementary teaching profession through this decade, Mr. Speaker; I've got a great deal of concern about it. I've three kids in the system myself. It just so happens that I'm trapped so strongly in the public school system that I can't think of any circumstance that would lead me to pull my kids out. And I feel totally trapped by that.

What's going to happen, Mr. Speaker, is this. The minister may be aware already that male elementary teachers who were coming into the profession in encouraging numbers during the 1960s are now going out of the profession. Some teachers say they're leaving in droves. I can't establish that. All I know is that the signs are there. They are looking at the alternative incomes to be made in selling insurance, in driving a crane, in coming into this Legislature, and in all sorts of things.

They're taking this opportunity because they can see the writing on the wall. They can look at the pay scale. They can look at the efforts that are needed to get an improvement in category in order to further education. They know the cost to them, to their families and to their pupils of that particular course, and they're just saying to heck with it, we're getting out.

The ones you will lose when that happens, Mr. Speaker, will include many male teachers who were among the best and the most dedicated in their profession. They can't put up with, say, the need to work three or four nights a week and take that time away from their professional responsibilities, in order to keep in teaching. They can't put up with that. If they can't work full-time as teachers, they're going to get out, and they are getting out.

The situation that's being created, Mr. Speaker, is that we're going back two or three decades to the days when almost every elementary teacher was a woman and was paid women's wages, in other words, was paid subnormal wages compared with what men would accept for the same job. It's well known, Mr. Speaker, that men tend to have the senior positions in the elementary teaching profession. In fact, there's been a great generational change in the principalships of Ontario schools in both the Catholic schools and the public schools over the last eight or 10 years. The average age of principals is down to somewhere in the 30s now, I understand, and that's another reason why the men are getting out. They can see that that particular route of advancement is shut off to them.

Mr. Speaker: Will the hon. member relate this to the bill before the House? I fail to detect the relevance of that particular aspect to this bill.

Mr. McIlveen: He doesn't mind the House being held up.

Mr. Cassidy: Yes, of course it is. The point I'm making, Mr. Speaker, is—

Mr. Speaker: The ratio of men and women teachers doesn't seem relevant.

Mr. Cassidy: —that compulsory arbitration is being rammed down the throat of a particular group in the society, of whom 70 per cent are women. It's being done so in order to preserve subnormal wages and, therefore, to dilute the quality of education for our kids. That's what's happening, Mr. Speaker. It's as simple as that, and I'm sure you agree that I'm right on the subject there.

The pay that is being offered to the bulk of elementary school teachers is simply inadequate to raise a family. Therefore, the people who stay in teaching are relegated to the status of second income earners—working wives. I don't think the minister realizes that those working wives are waking up, and they're no longer willing to accept a subnormal wage. That's one of the reasons for some of the militancy that's shown by the federation of women teachers in the province at this time.

If he goes in the present course, though, the only people who will be able to afford to stay in elementary teaching are going to be either single people, young women and some young men in their first three or four years after teachers' college or after a B.Ed. or whatever their status happens to be, who will teach for a few years before they either get married or go on to something else that they find more interesting, or second-income earners. Those are wives with families.

I've talked this over with my wife who deliberately chose not to teach—she's a teacher—while she was raising her family up until the point where the youngest age was six, which makes an awful lot of sense. She did not want to be put in the position of a conflict of responsibilities between the responsibilities for a young family and the professional responsibility of being a teacher, which she knows is a very heavy one.

That is the kind of situation which will be created. The teachers, many of them, will have young kids. We will have schools where 70, 80 or 90 per cent of the teachers have family responsibilities in addition to their professional responsibilities, rather than a kind of reasonable mix between older teachers whose families have grown up, between men, between young women teachers and between young male teachers, all of them getting a decent wage which corresponds to their value to society and not to some exploitative level that the minister can crank out of them.

I ask, why is it, Mr. Speaker, that when this ministry comes in to breach collective bargaining rights in the Province of Ontario, it tends so often to pick on women and on immigrants? We have compulsory arbitration in the hospital field which applies particularly to nurses and to the immigrant workers who do the dirty jobs in the hospital. Now we have compulsory arbitration on an emergency basis applied against 11 primary boards whose membership is primarily women.

Mr. Lewis: That's right.

Mr. Cassidy: It is 70 per cent women, and they, therefore, are also getting the back of the heel from this particular government.

Mr. Lewis: It makes it a lot easier, doesn't it, when the government is dealing with women? Doesn't it, from the minister's point of view?

Hon. Mr. Grossman: That's pretty low.

Mr. Cassidy: This is where this government—

Hon. Mr. Wells: We don't think about things like that.

Mr. Foulds: The government doesn't think, period.

Interjections by hon. members.

Mr. Lewis: It doesn't think about things like that. That doesn't occur to the government.

Mr. Speaker: Order.

Hon. Mr. Wells: We don't think about things like that.

Mr. Speaker: Order.

Mr. Foulds: No, the Tories don't think about it; it gets no attention if they don't think about it.

Mr. Cassidy: This is where this government uses—

Interjection by an hon. member.

Mr. Cassidy: The minister said the teachers were using the kids as pawns; that's a lot of nonsense. The government uses the teachers as pawns, Mr. Speaker, and the minister knows it.

Mr. E. W. Martel (Sudbury East): It's legislation against people in the $8,000 group.

Interjection by an hon. member.

Mr. Cassidy: There is a very funny kind of paranoia about this particular situation in teaching.

Hon. Mr. Wells: This is a straight philosophical argument. We are for the bill, the opposition is against it.

Mr. Lewis: No, it's not a philosophical argument at this level.

Mr. Cassidy: It began as a very practical argument, Mr. Speaker.

Mr. Foulds: It's an economic argument, too. Can the minister understand that?

Mr. Cassidy: It's an economic argument as well. It began as a political argument about what would be best for the Conservative Party. I tell the House this is absolutely the worst course of action the Conservative Party of the province could have taken.

Hon. Mr. Wells: Would the member like to take a break? I can see his leader would like to give him a little advice.

Mr. Lewis: The minister should just look after himself.

Hon. Mr. Wells: He is going to get a little advice. If the leader doesn't get in there he is going to lose his place and the Liberals will take over.

Mr. Foulds: No, we have no fear of the Liberals taking over. They are moving east to the right of the Tories.

Hon. Mr. Wells: The Liberal Party saw it and manoeuvered its way around it.

Mr. Martel: They favour compulsory arbitration, too.

Mr. Cassidy: I sort of wonder—

Hon. Mr. Grossman: The member has had fairly logical arguments but this isn't one of them.

Mr. Speaker: Order.

Mr. Lewis: Why isn't it?

Mr. Speaker: Order.

Mr. Lewis: How is it that women constitute the majority of the school teachers in the elementary schools?

Hon. Mr. Grossman: Bringing in more men—isn't that stupid?

Mr. Lewis: That's where the government applies compulsory arbitration?

Mr. Foulds: Why is it?

Hon. Mr. Grossman: Is that the point the CBC wants the members to make?

Mr. Cassidy: Well, now wait a minute. The point is that men are not coming into the profession because they can see the salaries that are available and the salaries available are not high enough.

Mr. Speaker: Order, please.

Interjection by an hon. member.

Mr. Lewis: Boy, oh, boy, is the Minister of Revenue seeing faces in the crowd again? Is he hallucinating again?

Interjections by hon. members.

Mr. Foulds: Why doesn't he check under his desk?

Mr. Lewis: He'll find some subversives immediately behind him.

Hon. Mr. Wells: We had better give the hon. member time to read the little instructions his leader gave. They are all programmed over there.

Mr. Cassidy: There is something else, Mr. Speaker, about the particular paranoia the government has about teachers going out on strike—

Mr. E. M. Havrot (Timiskaming): Talk about paranoia. Boy, oh, boy!

Mr. Cassidy: —or making mass resignations, whatever it is.

In a free society, which accepts free collective bargaining, governments also accept a certain amount of what one might call industrial disorder. It is a formalized kind of thing. Workers go out on strike; they picket; the management locks them out from time to time and eventually the thing is sorted out and they come back together again.

When one gets into other areas, Mr. Speaker—areas which I would suggest are very essential services, far more essential on a day-to-day basis than the loss of one or two days of teaching for a particular kid—this government has been quite content to allow scenes that one might characterize as scenes of extreme disorder. I cite, for example, the garbage strike in Toronto which went on for—how many days?—45 days. The garbage strike in Hamilton went on for more than two months. The rats were gathering and the garbage was festering and the government said, "No, we'll keep our hands off."

It's a pretty tolerant kind of attitude which says the workers and the employers have got to work it out together. All right, to a greater or lesser extent, every government in this society in Canada accepts that kind of thing happening. It's a consequence if one also accepts that people ought to have the rights to bargain collectively.

Mr. Havrot: We are dealing with human beings, not garbage. We are dealing with children.

Mr. Cassidy: We were dealing with human beings, in case of cholera. The editorialists were saying, "What if cholera spreads through Hamilton?" The government kept its cool and let that dispute eventually be settled. I've forgotten how it was settled, but it was eventually settled.

Hon. Mr. Grossman: And the NDP pushed us to do something about it.

Mr. Deans: That's not so.

Mr. Cassidy: When the Hydro employees went on strike and—

Mr. Deans: This is the kind of nonsense that the government spreads.

Mr. Cassidy: —and electricity is something that permeates every aspect of our lives. The government sat by and let that particular dispute work its way out for a period of about 22 days.

In the case of the Canada Starch strike, it was a ridiculous thing to go on that long. The government let it go on for four months without even bothering to intervene. With the paper workers up at Fort Frances, also four months. With the conveyor workers at Port Hope, Mathews Conveyor, I think it was—

Mr. Lewis: Two-and-a-half months.

Mr. Cassidy: Two-and-a-half months. And with Artistic Woodwork again something like 3½ or four months.

Mr. Lewis: Right.

Mr. Cassidy: And there there were certainly scenes of extreme disorder. But would the government — would the Minister of Labour (Mr. Guindon), who is here now—get in touch with the management and say: "Look, you're not bargaining in good faith. You're violating the Act. The clause you're seeking to insert is totally unacceptable"? Would he do that? No. It took weeks of pressure before anything was done by the Minister of Labour. And that strike had gone on for months before he finally intervened; and when he did, he revealed he really didn't understand what it was all about.

The government attitude towards labour absolutely foxes me. How could it allow the Artistic Woodwork strike to go on without any attempt to intervene for four months?

Mr. Foulds: They can, in fact, provoke it.

Mr. Cassidy: They even get paranoiac about a phantom crisis about a few teachers possibly going out on strike in January and then, in turn, they turn around and they provoke 105,000 teachers to walk off their jobs next Tuesday.

Robert Miller had a column, Mr. Speaker, in the Toronto Star last night which was drawing an analogy of Spiro Agnew and Premier Davis. It struck me, as I read it, that it goes further than the Premier. The reasons that must have motivated the minister to take this particular action and to come forward with this particular legislation are because of some superficial belief in law and order and in preventing what he calls disorder in the schools. There's been this kind of law and order mentality since the mass resignations which provoked the Reville report, which certainly permeates the biased recommendations of the Reville report, and which permeates the biased legislation we have before us.

"If one child is kept out of school through teacher resignations," says the minister, "that is grave disorder and the foundations of Ontario society will be rocked." It's a blatant appeal to middle Ontario, Mr. Speaker; but look what's happened to the law and order Minister of Education.

In the first place, I can tell the minister that middle Ontario, at least in Ottawa, is clearly not convinced. About 95 per cent of the public didn't even realize, or didn't even think, there was a crisis. They were hardly aware of the situation in the 15 boards.

Hon. Mr. Wells: The opposition made the crisis.

Mr. Deans: The government made it.

Mr. Cassidy: We just wanted to go home. It was the stupidity of the government that kept us here, Mr. Speaker.

Mr. Lewis: Ask the government backbenchers who made the crisis. They'll tell the minister.

Mr. Cassidy: That's right.

Mr. Lewis: Not in here, where it's embarrassing, but in the corridors they'll whisper who made the crisis.

Hon. Mr. Wells: The opposition made the crisis.

Mr. Cassidy: Oh no, oh no.

Hon. Mr. Wells: They know this was completely provoked.

Mr. Cassidy: Oh no. This was completely provoked by the government, which had absolutely no need to bring in the legislation.

Mr. Foulds: All the government has to do is withdraw the legislation and we'll all be happy.

Mr. Cassidy: And we'll all go home. We can go home tonight.

Mr. Lewis: If the minister withdraws the legislation, he'll be acclaimed everywhere. The teachers will settle. The minister won't hassle all these Tories—leave them alone. What has the minister got against his colleagues?

Hon. Mr. Wells: The opposition has made it a crisis.

Mr. Lewis: Oh cut it out. We didn't make it a crisis. I wish we had that kind of clout to have made it a crisis.

Mr. Cassidy: Mr. Speaker, the disorder of the 105,000 teacher-days lost to the pupils of the Province of Ontario has been provoked by the minister. The fact that the teachers are now uniting—

Hon. Mr. Stewart: It has been provoked by mounting public opinion; that's what it is.

Mr. Lewis: It has not.

An hon. member: It was provoked by the NDP.

Mr. Renwick: That's all we heard from the Minister of Agriculture earlier today and he was wrong then and he's wrong now.

Hon. Mr. Stewart: The NDP comes to Queen's Park with its organizers. How many organizers have they got with the teachers?

Interjections by hon. members.

Mr. Speaker: Order, order.

Mr. Cassidy: The fact is the whole basis of collective bargaining between teachers and boards was poisoned from the beginning with the new system introduced under the Reville recommendations. It is the fault of the minister, Mr. Speaker. And this minister is like Spiro Agnew, I suggest.

Mr. Foulds: He should be so lucky.

Mr. Cassidy: Spiro Agnew preached law and order while he was reeking disorder in every way possible; and we now find out he was nothing but a common criminal at home.

Now, I don't suggest that the minister is a common criminal.

Interjections by hon. members.

An hon. member: Mr. Speaker, are you going to allow that?

Hon. Mr. Wells: I would suggest that—Mr. Speaker, on a point of personal privilege.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Cassidy: The former Vice-President of the United States, in sowing disorder—

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. minister has a point of privilege.

Hon. Mr. Wells: On a point of personal privilege; if the hon. member is calling me dishonest or crooked I ask that he withdraw it.

Mr. Lewis: Not a common criminal.

Interjections by hon. members.

Hon. Mr. Stewart: That's certainly the implication that was there.

Hon. Mr. Wells: That's certainly the kind of implication that was there.

Mr. Lewis: He specifically said the minister was not a common criminal.

Mr. Deans: Not to his knowledge.

Interjections by hon. members.

Hon. Mr. Wells: After I stood on my feet.

Mr. Cassidy: It's happening though, Mr. Speaker, and it is not just the fact that the teachers are coming down here next Tuesday and we may have some illegal resignations or strikes, or work to rule and so on in the spring. But when the government unnecessarily restricts the rights of individuals in a free society, that is an abuse of the democratic system, and therefore it is an abuse to law and order. When law is abused in that way, Mr. Speaker, the minister of law and order and education in fact fosters disrespect for the law. In fact, as we are seeing, the minister may himself be contributing to the extreme and socially irresponsible violations that he says in fact he is trying to prevent.

I just seriously wonder if he brought the legislation in in order to get the teachers down here, hoping that somehow the public of Ontario would turn anti-teacher and there was a great grand strategy in the whole thing. It is the only conceivable reason I can see for what the minister is having to do.

Mr. Lewis: Why did the minister introduce it? He really doesn't need it.

Mr. Cassidy: Mr. Speaker, there has been a defence—a couple of defences, actually—of the government in recent days. One came from the member for Don Mills, himself a teacher, and I was alarmed to hear that particular defence. I presume he was either put up to it by the ministry, or that he knew the—

Hon. Mr. Wells: Ever think he might believe them?

Mr. Cassidy: —things that he had to say on behalf of the government in order to—

Mr. Foulds: Get his cabinet post.

Mr. Cassidy: Get his cabinet post, that's right. We have expressions for that, Mr. Speaker, they are not parliamentary and I will not use them in this House, but I think they apply to the member for Don Mills.

He said the teachers of Ontario want some assurance that they are not being degraded by this bill. Well, Mr. Speaker, the teachers may, to a man, be convinced that they are being degraded by this bill. That is certainly the way they feel about it by the telegrams that have been pouring in to every member of this House and by the phone calls and everything else.

Hon. Mr. Wells: The members opposite got 105,000 telegrams?

Mr. Deans: No, but we have a telegram on behalf of the 105,000.

Mr. Cassidy: However, the member for Don Mills said the teachers wanted the assurance they were not being degraded and he gave it to them. He said, "I am confident that they are not." One teacher among 105,000 and one who is now well onto greener pastures and is bucking for a cabinet post.

Mr. Lewis: The minister will agree that the great majority are against it, though. Surely he can see what is happening around him?

Hon. Mr. Wells: Don't say that 105,000 are against it.

Mr. Lewis: And the boards of education are now mounting a campaign against it. The Toronto Board of Education—

Mr. Cassidy: That's right—and the minister will see it over the weekend. There will be emergency meetings of boards of education calling on the minister to withdraw his legislation—

Interjections by hon. members.

Mr. Speaker: Order.

Interjections by hon. members.

Mr. Cassidy: —because of what their teachers say is happening to bargaining between them and the local teachers.

Mr. Speaker, then Mr. Timbrell said, "My concern for the wellbeing of the students, particularly those who are gifted or slow learners, will not allow me in all good conscience to gamble that a strike wouldn't last for weeks or months." And I don't know where this business of months came up.

As everything here will indicate, the experience of bargaining between teachers and trustees in Ontario is without parallel. It has been superbly good. Let me just give you some other experiences, too. I was going to use them at the end of the speech, but I think it is relevant at this point, Mr. Speaker.

In the Province of Alberta teachers have had the right to strike since 1941, and in the period from 1941 to 1969, they actually had eight strikes of teachers in that province. The longest was in 1942 in Vegreville and that lasted for 33 days. The second longest was in 1957 for 20 days, and the third longest was 10 days.

Now that doesn't sound too alarming to me. When you work it out, Mr. Speaker, in terms of the amount of time that has been lost it amounts to .024 days per pupil, per year. Or if you want to translate it into terms that are more readily understandable, and assuming the kids go to school for about five hours a day, during the course of their entire elementary and secondary schooling, Mr. Speaker, the children of Alberta between 1941 and 1969 lost on average, exactly 1½ hours of school time because of teachers exercising their right to strike.

Mr. Lewis: Well, that's amazing!

Mr. Foulds: And the minister lets them out of school to watch a hockey game.

Mr. MacDonald: Or to see the Premier when he visits town.

Hon. Mr. Wells: No, I didn't. I told them they should watch it on the school sets.

Mr. Cassidy: They still were doing their other school work.

Mr. Foulds: That was the only way the ministry could get them to use ETV.

Mr. Speaker: Order.

Mr. Cassidy: Mr. Speaker, I think the minister will agree that the social traditions, if you will, of Ontario are more closely paralleled to those of Alberta than they are, say, to Quebec. Both provinces have had a very lengthy time—

Hon. Mr. Wells: Why Alberta? The member is always talking about Manitoba.

Mr. Cassidy: I'm talking about Alberta right now.

Mr. Foulds: It's in the conservative tradition.

Mr. Cassidy: Yes, I'm talking about Alberta where the right to strike has been entrenched in teacher bargaining for 30 years now. It's a conservative kind of province with small "c" conservative traditions as this province has too. But even in Quebec during the decade of their "quiet revolution," Mr. Speaker, between 1960 and 1969 when you look at the record there where they lost 444,000 teacher-days because of a number of strikes, both legal and illegal during the Sixties, during everything that was happening in Quebec at that time, when you work it out for the number of kids and so on, it works out to an equivalent of four hours per pupil per year. This was a bit less than a school day per pupil per year during that period of tremendous tumult when the entire Quebec school system was being reformed and brought into the 20th century from the 19th century. Teachers had the right to strike in Quebec and they lost four hours per pupil per year.

Mr. Lewis: See how ridiculous this bill is?

Mr. Cassidy: It's not an extraordinary kind of loss, even in that turbulent kind of situation. Just before we close, Mr. Speaker, I want to say something very seriously to the minister about one particular decision—

Hon. Mr. Grossman: Let's hear something serious.

Mr. Cassidy: —that was in fact sanctioned by this House but was proposed and passed by the ministry and by the members of the government who were here.

The member for Don Mills says he wouldn't want to risk a day lost on the education of a gifted kid or of a slow learner or of any child. The minister has made comments to the same effect—"I'm doing it for the children." Yet in legislation a few months ago, Mr. Speaker, this Legislature decreed that school boards could have up to 12 professional development days per year as opposed to the former two. That applied both at the primary and at the secondary level. And it's my understanding that many if not most school boards have gone very quickly to the full 12 PD days. Is that correct?

Hon. Mr. Wells: Yes. The member is not opposed to that, is he?

Mr. Foulds: No. We are in favour of it.

Mr. Cassidy: Just a minute. I am not opposed to that for the individual teachers—not at all. I think the teacher should have the freedom to go to other schools and see what is being done there. The teachers in a particular discipline should be able to go and hold a meeting at the school board headquarters or the education centre with people from other schools who are in the same discipline and so on.

Mr. Foulds: They should also write the community in.

Mr. Cassidy: But I may say, Mr. Speaker, that almost as much as I resent the stupidity of this whole debate having to be held, I resent the fact that this week, for example, while the minister has been prating on about he cares about the kids, my kids have lost two days of school because of PD days. They lost those days because of the fact that there is no flexibility and there are no extra teachers around to provide supply when teachers take their PD days.

Hon. Mr. Wells: That is completely up to the school boards.

Mr. Deans: How come some things are completely up to the school boards?

Mr. Cassidy: In one stroke, Mr. Speaker, we went from two days a year to 12 days a year or, in other words, in one stroke, the education of my youngest child who is just about to enter grade 1 was—

Mr. J. R. Smith: Those great Toronto trustees!

Mr. Cassidy: —cut short by 120 days, or the equivalent of two-thirds of a school year. That's how much this minister cares about that, and nothing was done.

Hon. Mr. Wells: Is the member not in favour of them?

Mr. Lewis: But how ridiculous it is in the context of this bill when the minister will never lose that many days. It just shows how stupid this whole procedure is.

Hon. Mr. Wells: I think that is the most facetious argument I ever heard.

Mr. Lewis: Not at all.

Mr. Cassidy: The minister is playing around with children's lives to the point where he is taking away school days without a breath of conscience, and that's from every kid in the province.

Mr. Lewis: He worries about a few days that may be lost because of a strike. There is no consistency at all.

Hon. Mr. Wells: Professional development days are part of something the elementary people in this province have been asking for.

Mr. Lewis: Of course we understand that.

Hon. Mr. Wells: How they are handled and how they are settled in each jurisdiction depends on the boards and the teachers.

Mr. Foulds: It is up to the school boards, right.

Mr. Lewis: Then let the school board settle the negotiations.

Hon. Mr. Wells: We are not against autonomy; we are trying to give—

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Wells: These are just a lot of the things we are doing and will continue to do them for the teaching profession because we aren't anti-teacher.

Interjections by hon. members.

Mr. Speaker: Order. Perhaps the hon. member would move the adjournment of the debate?

Mr. Cassidy: Yes, it is a convenient time to make an adjournment on my remarks.

Hon. Mr. Wells: He might be interested to know we got more letters about those 12 days than we did about the ceilings.

Mr. T. P. Reid (Rainy River): Is the Premier going to do anything on the weekend to resolve this matter? Is he going to be in on the weekend?

Mr. Cassidy moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Winkler: Mr. Speaker, before I move the adjournment of the House I would say that when we meet at 10 o'clock on Monday morning the House will be prepared for any matter remaining on the order paper.

Mr. R. F. Nixon: Third reading of the Planning Act, for example?

Mr. Lewis: Mr. Speaker, I am only repeating or echoing some of the views on this side. Can I ask the Premier if he would reconsider the position of this whole bill over the weekend and perhaps reorder things on Monday? Is the bill being reconsidered in any aspect at this point?

Hon. W. G. Davis (Premier): Mr. Speaker, we will be proceeding with this and perhaps other matters if time permits on Monday. As to any alteration in the bill, I think it would be misleading to suggest this. Of course, we are always keeping in touch and assessing the situation. To indicate that there would be any alteration or that we would not move ahead with the bill on Monday would be factually not correct. I like to think that we—

Mr. MacDonald: The Premier is going to destroy the system he built.

Hon. Mr. Davis: With great respect, Mr. Speaker, I don't think the time is appropriate to reply to the member for York South.

Mr. Lewis: That is what he is doing.

Hon. Mr. Davis: I am very flattered that he thinks I built the system because that is factually not correct. But I'm very flattered.

Mr. MacDonald: He laid a lot of claim to it in a lot of election campaigns.

Hon. Mr. Davis: I never claimed that at all. I really make no claim for that now. I do agree I spent a good deal of time and effort in an attempt to improve the education system in this province and I can only say to the members of this House that we will continue to do this.

Mr. Lewis: He did and it is being severely damaged now.

Mr. Foulds: The house of cards the Premier built.

Hon. Mr. Davis: With great respect to the member for Scarborough West, while this issue is difficult and uncomfortable, the school system in this province will survive and it will do very well and it is not being irreparably damaged at this time.

Mr. Lewis: It is being irreparably damaged by the Premier. He is pitting groups against each other for no reason. For no reason at all. He has changed from a man of conciliation to one of confrontation.

Hon. Mr. Grossman: The member got the Oscar for acting before.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.

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Legislature of Ontario Debates

No. 173

Ontario

Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Monday, December 17, 1973

Morning Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 17, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Orders of the day.

THIRD READING

Clerk of the House: The first order, resuming the adjourned debate on the motion for third reading of Bill 264, An Act to amend the Planning Act.

PLANNING ACT
(concluded)

Mr. Speaker: I believe when we were last discussing this bill the member for Ottawa Centre had the floor. Is that right?

Mr. M. Cassidy (Ottawa Centre): Yes, I was up, Mr. Speaker. If you will just give me a second while I find my notes, I will appreciate it.

Yes Mr. Speaker, when I was speaking before I said that we were opposed to the bill and we felt very unhappy about it, basically for two reasons. The first one, which the member for Lakeshore (Mr. Lawlor) particularly was talking about in his brief intervention on this third reading debate before it was adjourned, is the fact that we do not accept the delegation of powers to below the municipal level. We feel that this is unconscionable and that in fact the delegated powers from the minister should not again be delegated but should be carried out by the municipal councils. This may mean that 99 per cent of the work is actually done by appointed municipal officials at the regional or local level, but nevertheless we feel that every one of those subdivision approvals, or the other decisions that are now made by the minister, ought to be made at the political level in the municipalities. We do not accept the violation of civil liberties and the problems that will be created by the delegation.

Our second reason for disagreeing with this bill, Mr. Speaker, is the fact that had it come in the mid-1960s, this legislation would have been welcomed in its provisions for site plan control. The provisions that are here now, though, are archaic, antiquated and do not meet the needs that are reflected at this time in the major cities of the province, such as Hamilton, Toronto, Ottawa and others. Those major centres are now moving to use height-control bylaws or to use a rezoning to existing uses, in order to give them a lever and the power to negotiate and bargain with developers in order to ensure that as much as possible and as much as is consistent with getting a fair return, I suppose, that the developments going up reflect the public interest; in having an adequate pedestrian environment, in having housing and in having all sorts of other things, reflect the public interest rather than reflecting a simple greedy developers' interest.

The power of developers, which has been amply shown over the last few years in Ontario cities, is very great. Countervailing powers are needed at the municipal level in order to give municipalities some power with which to negotiate, and those countervailing powers are not provided for in this bill. We believe that the bill, in fact, carries a very serious and grave danger because of the current pro-development temper of the Ontario Municipal Board. The Legislature, if this bill passes third reading, will have spoken on what, according to the marginal notes, is its version of development control.

When the city of Toronto's 45-ft height bylaw, a similar bylaw that has just been passed in the city of Ottawa for planning purposes, or similar height-control bylaws that have been brought in to facilitate development control in other parts of the province, come before the Ontario Municipal Board, I fear that with the bias that has been shown by the OMB, the OMB will say: "No, we cannot accept that" and as a principle of law they will argue that since the Legislature will have spoken according to the edict of the minister and of his people, since the Legislature will have chosen this ineffective means of development control, the OMB will choose to throw out other innovative forms of development control that have not been legislated for by the province.

For these reasons, Mr. Speaker, we are opposed to the amendments to the Planning Act as they stand. We support—I believe there was a motion for a hoist. Is that right?

The Leader of the Opposition is nodding. We support the move to have a hoist on the bill for several months in order that these provisions can be adequately discussed by all the interested parties before they come back to this Legislature.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, the hoist motion was moved by the hon. member for Downsview (Mr. Singer) on third reading of the Planning Act.

The debate has gone on during second reading and in the committee stage, and now on the basis of the amendment put forward by my colleague. The concepts in the bill are poorly drawn, we believe. In fact the idea of giving responsibility back to the local municipalities and the regional government is a concept which we would like to support; we believe that the way this is being done in the sections of this amendment, however, are unsupportable and we believe that the hoist motion is something more than just a device to delay the bill.

We believe the bill has been poorly drawn; that the concepts the Treasurer (Mr. White) had in mind are not reflected in the legislation that he has put before us, and we believe that it would be in the best interests of the community of Ontario and this government if this were not passed into law at the present time but reconsidered at the forthcoming session of the Legislature in 1974.

I simply rise briefly, on third reading, to support the amendment that the bill not be now read a third time but be read this day three months hence. I believe it's a reasonable and rational one and I would suggest to you, Mr. Speaker, that the government should give consideration to that postponement.

Mr. Speaker: Are there any other hon. members who wish to speak before the member for Grenville-Dundas (Mr. Irvine).

The member for St. George.

Mrs. M. Campbell (St. George): Mr. Speaker, I too rise at this time to state my opposition to sections of this bill. The city of Toronto asked for development control several years ago, and I think it's quite proper to say that had this type of legislation been enacted at that time they might have found it quite acceptable. However, times have changed and moved and progressed, and what I see in these amendments is retrogressive for this day and age.

Your large cities are involved in some pretty sophisticated and difficult times in their planning. The zoning bylaw technique itself has to be looked at some time, because too many cities are really planning within that concept and not within the total planning picture which gives flexibility, life and vitality and an opportunity for cities to develop in accordance with what is their own natural bent. And not all cities will develop in the same way—nor should they—any more than all people, as individuals, will develop in the same way.

You may recall, Mr. Speaker, Toronto had some of this legislation in a private bill for University Ave. and it didn't function very well in those days. Many of us had a great deal of difficulty about the support of the individual design concept, for example, because in my view and that of many, University Ave. developed as a very antiseptic, sterile kind of street, rather than something of action and of beauty because of its people-orientation. It is not a people-oriented kind of street.

We cannot, of course, support the turning over of planning powers to a planner, if he is to be the one designated, because of his lack of responsibility and responsiveness to the municipality. And it would be surely wrong that planning in itself should be removed from the people for whom, and I would hope with whom, the planning presumably should be done.

Notwithstanding the attempts to cure the checkerboarding problem, which has been left with us for considerable periods of time, and having in mind the fact that in our opinion this legislation is not going to correct that, surely it is a time to sit down with the municipalities, with the various groups and let them think through with us what is best as general powers for municipalities in this province.

I too would urge this government to give to the people their opportunity to speak, rather than once more to impose upon them something which in our view is now obsolete and which will make it more difficult for them to function than before.

The principle, of course, we accept—the principle that municipalities should have the right of self-determination in planning. We also support wholeheartedly a return to local government of its rights and its jurisdiction in the planning field. To take it further than that would be, in our opinion, a mistake.

The other day, someone speaking on behalf of the government stated that municipalities

would not turn this power over to one person. But may I remind the House that in the municipality of Metropolitan Toronto, one person, subject only to the chairman, took a great deal of power with the consent of that municipality not long ago. I would not like to see a municipality, for example such as Metro, to be declared a municipality for these purposes, because I may remind the House that at this point, as far as I know, Metro doesn't even have an official plan. I don't think that uncertainty should be left to us at this point.

Thank you, Mr. Speaker.

Mr. Speaker: Any other hon. members wish to speak? The member for Grenville-Dundas.

Mr. D. R. Irvine (Grenville-Dundas): Mr. Speaker, I am delighted that we are able to resume the debate on Bill 264. I would assume that all the members have the reprinted copy and that there won't be any further interruptions. I think it points out very clearly, Mr. Speaker, one of the facts—

Mr. J. A. Renwick (Riverdale): It wasn't an interruption; it was a matter of procedure.

Mr. Irvine: —I stated earlier in the debate —that the Liberal Party in particular seems to be very much divided.

Mrs. Campbell: Not at all.

Mr. Irvine: We had the member for Downsview quite happy to come forth with—

Mr. Cassidy: How about the division in the Tory party over the teacher bill?

Mr. Irvine: —some further contributions to the debate and with an amendment to this bill, and then we went round the circle whereby we're having the member for Ottawa Centre repeat what he said so many times.

Mr. I. Deans (Wentworth): Oh, for heaven's sake, say something.

Mr. Irvine: Then all of a sudden we had the member for Sarnia (Mr. Bullbrook) say we can't go ahead. All I'm saying to you, Mr. Speaker, and to the members of this House, is that it would be kind of nice if we knew in the first instance that the—

Mr. J. F. Foulds (Port Arthur): If the parliamentary assistant knew what he was doing in the first instance that would be kind of nice.

Mr. Irvine: —members of the Liberal Party were agreed as to whether we should proceed or should not proceed. I think it is about time they made up their minds.

Mr. Cassidy: That is nonsense. What about the rules of this House? That is what was at issue last week. What about the first appeal by this government ever against the Speaker's ruling, and almost forcing the Speaker to resign? That was what that issue was about. It is absurd. If the government could run this House we could have had this thing through in half an hour.

Mr. Irvine: We are trying to pass the bill. As soon as the member for Ottawa Centre is quiet for a while we'll get back to the main purpose of the bill and the reason we wish to speak for a few minutes on this bill this morning. The member for Ottawa Centre shouldn't have too much to say now. He's had considerable to say in the past while and I thought probably he might give me the opportunity to say a few words in regard to this bill.

Hon. W. A. Stewart (Minister of Agriculture and Food): He won't.

Mr. Deans: Why doesn't the member stop attacking people and start talking about the bill?

Mr. Irvine: In the opinion of the government, Mr. Speaker, it is very important that this bill goes forward at this time, in order that we can have very clearly in the minds of all the people of Ontario who is responsible for what in regard to planning. We are saying in this bill that the Ministry of Housing will be responsible for planning at the local level and the implementation of that planning, and the Treasurer will be responsible for the overall planning and land use throughout the province of Ontario.

I see that to be a very important function of both the Treasurer and the Minister of Housing (Mr. Welch) and I would certainly say right now that there is absolutely no way whereby this government will delay this bill. We are going to implement the bill to make sure that planning goes ahead as it should in the future.

Mr. Cassidy: Just another use of raw and naked power, that is all.

Mr. Irvine: We have heard the members of the opposition parties talk about the government not carrying forth the proper plans and the proper legislation in regard to relieving those who have been in a situation

of not having their land properly registered in the registry offices in the province. In regard to checkerboarding, we have had a problem with the Planning Act being circumvented. We are endeavouring, by sections 6 and 7 of this Act, to make sure that those who have suffered in the past because of the lack of proper legislation are able to correct this particular problem, which they've had for several months and probably two or three years. What we say is this, that the system may not be entirely, 100 per cent correct, but it's a great improvement over what we had in the past.

As far as we are concerned, and I mentioned this before in the House, there's no way I can see that we can do this at this particular time, other than letting these people at the local level, the elected people, decide what method will be used and what land will be developed in the future, because they are the ones who know specifically what they can afford to do and what they cannot afford to do in regard to subdivision development, or in connection with any lands being developed in any specific area.

The members of the opposition have said many times in the past we have not assisted those people that have the problems. We are now assisting them, and the opposition is saying to us it's not the right way. I say to you, Mr. Speaker, there's no way the members of the opposition know what we should be doing. They haven't been able to understand what we are doing, and so again it's a filibuster on their part.

Mr. Deans: Oh, nonsense! Filibuster? The parliamentary assistant doesn't even know the meaning of the word.

Mr. Irvine: The opposition is trying to prove the government is not trying to assist those who are in trouble.

Mr. Cassidy: What does the member mean? This has gone on for about 20 or 30 minutes, that's all.

Mr. Deans: The parliamentary assistant must be one of the most incompetent people on the government side.

Mr. Cassidy: No, there are more.

Mr. Irvine: Mr. Speaker, I think we have to understand, too, that this bill talks specifically about site control. Site control has been misunderstood by the socialist party, by those to my immediate right, who want to make sure that they control everything.

Mr. Cassidy: Not at all.

Mr. Irvine: We believe in the people controlling their own destiny, not the socialist party of this province, and certainly this will not come about.

Mr. Deans: Control everything? Has the member spoken to the teachers of the province this week about controlling everything?

Mr. Cassidy: Has he spoken to Mayor David Crombie, a good Conservative?

Mr. Speaker: Order, please.

Mr. Cassidy: He is not a socialist. Is the parliamentary assistant going to drive him into our camp?

Mr. Irvine: It really doesn't matter to me. If the members of the socialist party want to interrupt, that's quite okay. They have been doing this all the time for the last two or three weeks.

Mr. Deans: We can't interrupt someone who is saying nothing.

Mr. Irvine: Well, what I would like to say for a minute to the member who just interrupted is that he hasn't said anything for so many weeks it wouldn't make a difference if he did say something.

Mr. Cassidy: Does the assistant know the Peter principle? In a hierarchy every employee rises to his level of incompetence, and he has sure made it.

Mr. Irvine: It's amazing to me that the member for Wentworth can interrupt so many times and say so little, without really knowing anything about a subject. Having been in this House as long as he has, he might listen for a change.

Mr. Renwick: We have certainly got off to a good start this morning. It is going to be a quiet, pleasant week, I can see.

Mr. Deans: We can always tell when the parliamentary assistant is floundering.

Mr. Speaker: Order, please.

Mr. Irvine: What we are saying, Mr. Speaker, is that the bill will deal with site control with certain conditions.

Mr. Cassidy: Does the assistant know Peter's corollary? In time, every post in the hierarchy is filled by an employee who is incompetent.

Mr. Speaker: Order, please.

Mr. Cassidy: And that's what's happening to this cabinet and this government.

Mr. Irvine: If the municipality wishes to control site developments, it can do so. If the municipality doesn't wish to control site development, it doesn't have to do so. It is permissive and it is not, as our socialist friends would like, overall development control, height control or density control; nor will it be until such time as this government has had the opportunity to have a more comprehensive review of the Planning Act.

I said this two or three times before and I say it again. We are not going to be compelled by the loud noises of those to our right to go ahead hastily. We are going to implement and re-evaluate by moving in the right direction.

Mr. Cassidy: The government is going to have it for four months before the Planning Act review.

Mr. J. E. Stokes (Thunder Bay): Pretty weak defence of the bill!

Mr. Irvine: I would like to speak for a minute, Mr. Speaker, if I could, on the delegation of powers.

Mr. Speaker: Order please. I point out we are on third reading of the bill, which does not really allow going back to the principles that fall under the bill or too much to the details. I think you should answer some of the questions but please stick to a third reading principle of the bill.

Mr. Irvine: Mr. Speaker, I thank you for correcting me. I am sorry if I might have wandered a bit, but that was only because the members of the opposition have wandered throughout this entire bill. I was trying to follow their vein of thought if I could.

Mr. Deans: Why doesn't the assistant give up while he is behind?

Mr. Irvine: The delegation of powers, I believe, is something which has been very much misunderstood. The bill is to provide a council, if it should wish, after the minister has fully outlined under what conditions he would delegate the powers, the opportunity to delegate not policy but the right to administer the policies they wish implemented. They are not abdicating, at the council level, any of their responsibilities whatsoever to the members of their staffs.

Mr. Cassidy: They sure are.

Mr. Irvine: They are still making sure that the implementation of any particular function is carried forth in a straightforward way and not being delayed by red tape.

Mr. Cassidy: One man can handle subdivision controls with absolutely no check from any other level of government or any other elected people.

Mr. Irvine: We see this as being very much acceptable to those who are elected. We had the opportunity to meet with the Municipal Liaison Committee on Friday. They asked us when are we going to have third reading of this bill. They want to know when they'll be able to receive the conditions whereby they may assume more powers at the local level. Mr. Speaker, when the elected people have spoken this government listens. We will—and we intend to—delegate to them at some future date, and not too distant future I might say, the conditions whereby they can assume certain responsibilities.

Mr. Cassidy: The elected people are telling the government to withdraw Bill 274. Will it do that, too?

Mr. Irvine: It is our intention, Mr. Speaker, in the new year, to draw up conditions whereby municipalities, which have the proper staff and which have the proper method of handling certain functions, will be able to assume these duties which are now being assumed by the Minister of Housing or by the Treasurer.

Mr. Speaker, there is absolutely no way this government wants to stand in the way of progress. I say to the House we will not delay this bill, as has been requested by the hon. member for Downsview and the hon. members for Sarnia, Lakeshore, St. George, Brant (Mr. R. F. Nixon) and Ottawa Centre. We are at this particular time ready to vote on the third reading.

Mr. Speaker: The motion is for third reading of Bill 264. You will recall that the member for Downsview had moved that Bill 264 be not now read a third time but be read a third time this day three months hence.

The first question is shall the word "now" and all the other words sought to be struck out, stand as part of the motion?

The House divided on the question shall Bill 264 be now read a third time, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Apps	Breithaupt
Auld	Burr
Bales	Campbell
Beckett	Cassidy
Bennett	Deacon
Birch	Deans
Brunelle	Dukszta
Carruthers	Ferrier
Clement	Foulds
Drea	Gaunt
Eaton	Haggerty
Evans	Laughren
Gilbertson	Lawlor
Grossman	Lewis
Guindon	Martel
Handleman	Newman (Windsor-Walkerville)
Havrot	Nixon (Brant)
Hodgson (Victoria-Haliburton)	Paterson
Irvine	Reid
Kennedy	Renwick
Kerr	Riddell
Leluk	Ruston
MacBeth	Singer
Maeck	Stokes
McIlveen	Worton—26
McNeil	
McNie	
Meen	
Miller	
Morningstar	
Newman (Ontario South)	
Nixon (Dovercourt)	
Nuttall	
Parrott	
Potter	
Reilly	
Rhodes	
Scrivener	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Taylor	
Turner	
Walker	
Wardle	
Welch	
White	
Winkler	
Wiseman	
Yaremko—52	

Mr. Speaker: Order, please!

Clerk of the House: Mr. Speaker, the "ayes" are 52, the "nays" are 26.

Mr. Speaker: I declare the motion carried.

The following bill was given third reading upon motion:

Bill 264, An Act to amend The Planning Act.

Clerk of the House: The second order, resuming the adjourned debate on the amendment to the amendment on the motion that this House approve in general the budgetary policy of the government.

Interjections by hon. members.

BUDGET DEBATE

Mr. Speaker: The hon. member for Beaches-Woodbine.

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. member for Beaches-Woodbine has been recognized.

Mr. T. A. Wardle (Beaches-Woodbine): Mr. Speaker, my first remarks today will be on the major problems of small business. Let's begin with what small business really is and needs. The answer, of course, is many things. Small business wants to be included when governments are considering incentives to boost the economy or special assistance programmes to increase employment or measures to provide protection against foreign takeovers.

Too often small businessmen are lumped together, automatically, with big business. Sometimes those in authority look down from a great height and say we have done a lot for business with this new fast write-off or this new management training scheme, without ever stopping to realize the type of help they offer is often useless to 90 per cent of businessmen in Canada, if not downright harmful to their interest.

The new Income Tax Act is a great example. All the new Income Tax Act does for the small businessman is to greatly increase the amount he will have to pay in accountants' fees so that he can have it explained to him. It was the original idea of tax reform to simplify the system and make it more equitable as far as the middle income

taxpayers are concerned. I do not think that it has achieved any part of that aim.

Small business also wants to be defined. What is a small business? Just pick up a copy of the yellow pages in any city in Canada. Leaf through it and consider that 90 per cent of the companies represented in it are small and medium-sized businesses. What is left is big business.

The small businessman can say with justification that the independent businessman is the cornerstone of our trade and commercial policy, or he should be. Whenever there is a focus on business, a committee or a commission is appointed and on it you find representatives of major public companies, economists, prominent professors and civil servants. Many of these people have no idea of the real problem facing the small businessman. And, Mr. Speaker, the small businessman knows this.

The newspapers do not help, either. The major papers pride themselves upon their sophistication. The business section will tell you all about the oil crisis, the gold problem, international affairs or inflation. Impressive and important topics, no doubt, but what does it tell you about the local scene in Brantford or Orillia, or in my riding at the corner of Main and Danforth? Can reporters not be sent to some of these places to see what is bothering small businesses there rather than getting comments from the giants of industry?

What we need is a press which will pay more attention to the average business and represent the views and concerns of the major proportion of those doing business in Ontario. All too often small business has the dubious distinction of being lumped together with big business, often to the detriment of the small operation.

Tax incentives, for example, are most often geared to big companies. The two-year fast write-off for manufacturing and processing operations contained in the 1972 federal budget will actually benefit fewer than 10 per cent of the manufacturers in Canada. The small businessman will not buy new equipment just because of the fast write-off. He just does not think that way. A tax reduction would have been much more useful to him.

Another area in which the needs of small business are overlooked is the great debate over foreign takeovers of Canadian companies. There is an almost overwhelming incentive for the owner of a small or medium-sized business to sell out when he personally gets on in years. Incentive to sell is provided by the taxes which must be borne by his estate to allow for his heirs to take over the business.

Since 1970 it has been a policy of the Ontario government to withdraw gradually from the succession duty field of taxation as capital gains taxation matures. In the 1973 budget this policy continues, so that Canadian ownership is now encouraged in family firms. Succession duty reforms also were announced in this budget.

In order to alleviate the burden of duty on family firms, duty and interest may be paid in equal instalments over the six years following the first anniversary of the death of the deceased, or payment equal to the duty payable may be made by transfer of shares of the business to the Crown at their market value, eliminating the need to sell controlling interest in the company in order to satisfy succession duty obligations. Succession duties on the transferred assets between spouses has been eliminated and assets transferred to their children up to $100,000 are also free of succession duty.

This government is obviously encouraging the growth of small business, and I applaud its efforts. What about our friends in Ottawa? Federal taxation, capital gains and surplus taxes can amount to a crushing burden. In addition, should the businessman attempt to transfer some of the ownership during his lifetime, tax rates are high. After his death, if an attempt is made to take money from the company to pay the other taxes, the surplus is now taxed at the ordinary rate instead of the 15 per cent which was once available.

The federal government's answer to this problem is the Foreign Takeover Review Act. This Act is far from exhilarating from the small business point of view. It provides for a screening agency which would have the power to block foreign takeovers in businesses with assets of over $250,000 or sales of $3 million annually, unless the takeovers would be of significant economic benefit to Canada.

This does not relieve the businessman of the pressure to sell out. It just makes the result less lucrative. If it is a question of selling out to the American public company or the American private company or the Canadian public company or private company, one would prefer to sell to those from across the border if they are paying more. In fact, Mr. Speaker, who could blame a person for selling out at the highest possible price, and he would therefore be able to pay some of the crushing burden of the tax.

Mr. Irving Rosen, president of the Institute of Chartered Accountants of Ontario, has given me the following information and suggestions. Mr. Rosen says, and I quote:

> I think a more positive step would be a combined federal-provincial move to avoid the severe estate problems faced by the owners of rapidly expanding small and medium businesses. Many businessmen hesitate to expand their operations to take advantage of new markets and financing if there will be a heavy burden placed on the estate. Surely if the combined impact of three kinds of taxes involved could be minimized so that they do not represent more than 25 per cent of the value of the company, there would be less incentive to sell out.

Mr. Rosen further suggests that another possibility would be to allow employees to set up deferred profit-sharing plans. It would enable them to buy out Canadian businesses on the tax deductible basis, or perhaps allow Canadian employees to take out surplus to pay for the shares at the special rate of 15 per cent. Either of these methods would put the employees in a strong bargaining position to buy the company, as it would enable them to get money out of it at a cheaper tax rate. This would help pay for the business by enabling the new owners to get money out of future profits of the company. The point is that examining the reasons for sale in a positive fashion would do a great deal more than simply prohibiting such transactions and may even result in the foreign-owned businesses being bought out by Canadians.

Mr. Speaker, next to taxes and regulations, paper work is probably the most resented of government interference with the normal functioning of business. Every industry has its own special problems directly as a result of the paper work involved. As for the most problems created for business by government, the hardest hit is the independent business man. Large corporations have huge staffs involved in keeping comprehensive records of all business activities. Small firms, on the other hand, in the normal course of business do not require such detailed information nor can they afford the necessary staff to keep the information current.

As a result, when Statistics Canada or some other government agency requests specific information in specific terms, the small businessman has few choices, each of them costly. He can do the work himself, taking away from his valuable time, perhaps missing a business opportunity, perhaps delaying a project for a client and certainly disrupting business routine, often to a point that takes several days to put everything in order again and catch up on this work. He can have his secretary, or in the case of a small retailer his wife, check all the records, causing similar disruptions. In some instances with medium sized companies, it is necessary to bring in temporary help to locate the required information without substantial disruption.

The independent businessman might not be so strongly against completing the paper work involved, if the information gathered by the agency was going to be of any significant value to him. But those who benefit from such surveys are not the vast majority of the businesses which provide the source of information to the surveys; rather they are the giant corporations which do business across the country in hundreds of markets and which need to know national trends.

Another problem facing the small businessman in Ontario is the collection of the provincial sales tax. As members know, 80 per cent of the provincial sales tax of seven per cent is collected by six major retailers. Formerly the passing back to the small retailer of some small remuneration at least helped to compensate him for the time and trouble in collecting and remitting the tax. We are now in the situation where the major retailers and the small businessman alike do not receive this rebate, and this is an added burden on small businessmen in the Province of Ontario.

In addition, all manufacturers in Ontario, and in Canada of course, are collecting, on behalf of the federal government, 12 per cent sales tax; and they get no rebate on this collection either. So this, again, is an added burden, especially on small business.

Further, of course, the bookkeeping work of collecting unemployment insurance, pension plan and income tax remittance, also means that a good deal of bookkeeping must be done here in Canada by any one who is in business. As far as the provincial sales tax is concerned, this is under the jurisdiction of this government. I think the provincial treasurer (Mr. White) should consider in his next budget some relief to the small merchants. This could be done under a plan where those firms or businesses selling under a certain amount, say, $100,000 in annual sales, could be paid some remuneration for the taxes they are collecting.

Mr. J. E. Stokes (Thunder Bay): The member voted against it.

Mr. Wardle: The Retail Merchants Association of Canada, Ontario branch, has suggested that the remuneration should be 2.5 per cent or a minimum of $1 under certain conditions.

Mr. Speaker, another major problem for small businesses has to do with manpower, rising wages, an increasing scarcity of personnel and a rapid turnover of staff. In Ontario the manpower shortage has been showing up in both semi-skilled and skilled jobs. Construction workers who have been earning $5.50 or so an hour since the spring will hardly take a factory job this winter for $3.50 an hour when they can draw up to $2.50 an hour on unemployment insurance.

Stenographers and other office workers are being lured away from $120-a-week jobs in pleasant offices by the fact that they can actually have a higher disposable income by drawing unemployment benefits. They take a one-third drop in income but they save money on income tax, clothes, lunches, transportation and, in many cases, the cost of babysitters.

An hon. member: And work.

Mr. Wardle: A company faces a number of options when its employees resign or go on unemployment insurance or when it cannot fill vacancies. It can cut back on production, with a possible loss in its competitive position and the elimination of jobs, or by introducing automated equipment where it is feasible and again with the loss of jobs in certain industries.

Recently, Mr. Speaker, there was an article in the Toronto Star about one firm in Etobicoke that was offering each employee a $25 reward if they would go out and recruit new employees. The starting rate, I believe, is about $3.50 an hour and they can work up to $4.40 an hour. In the same article it mentioned the fact that certain other industries out in the Lakeshore and Etobicoke area have similar problems.

I quote from the Toronto Daily Star of Nov. 28, 1973:

> This is the first year in recent memory that Christie, Brown and Co. Ltd., on Lakeshore Blvd. has had to advertise for extra Christmas help, says Glenn McClocklin, the baking company's assistant personnel manager.
>
> John Wakely, employment supervisor for Continental Can Co. of Canada Ltd., on Birmingham St., which has six to eight unskilled positions available, complained about "the difficulty in finding general plant labour."
>
> At G. H. Wood and Co., which makes sanitary equipment, "a general recruitment malaise has forced us to compromise in the quality of many of the semi-skilled people we hire," a company spokesman said.
>
> Jim Hope, employee relations manager for Anaconda Canada Ltd. on Eighth St., said he is often frustrated when he hires 10 people and a month later, five of them quit.
>
> "We haven't tried offering rewards to employees who bring in new workers, but such a plan might help us find people who still have a sense of responsibility in holding a job," he said.

Mr. Speaker, I am not attempting to downgrade the hardship being faced by the genuinely unemployed, but let's not ignore the percentage of the unemployed who are in a position to be very selective about returning to work and the economic havoc this creates.

The policy of using unemployment insurance benefits to provide a form of guaranteed annual income to seasonal workers must be re-examined. The idea behind the dropping of the eligibility period to eight weeks from 30 weeks is the cause of much abuse and high turnover in permanent job situations. Approximately 35 per cent of insurance claimants work less than 19 weeks and would not have been eligible for unemployment benefits under the old Act.

The new Act reduced the waiting period for people who quit jobs from six weeks to three weeks. The new policy further allows claimants to earn 25 per cent of their benefit in one day without losing both benefits.

An immediate expense facing businessmen that will also add to the problems of the smaller employer is the increase as of Jan. 1, 1974, in the unemployment insurance benefits they pay to the fund on behalf of their employees. At the moment for every dollar put in by an employee, the company pays $1.40. As of Jan. 1, 1974, I understand the rate will go up to $1.96. This will be added to the cost of doing business. There is also a further deduction from the employee's take-home pay.

Mr. Speaker, I will read from a recent advertisement in the Globe and Mail put out by the Canadian Machine Builders Association at its general meeting held on Dec. 4, 1973. It says:

UNANIMOUSLY AGREED

That we strongly oppose the 40 per cent increase in unemployment insurance premiums, which we consider will result in the exploitation of every worker in Canada.

Instead of motivating for achievement and success, it encourages indolence and failure. The open abuse of this fund has created the paradox whereby the Department of Manpower is unable to supply any workers either skilled or unskilled, to meet the current heavy demand, while at the same time we have more people drawing unemployment insurance than ever before in our history.

Canadian Machine Builders Association

J. J. Havlik,

President.

These new amendments to the Unemployment Insurance Act cause great problems for employers and together with increasing the size of the taxpayers' bill, many local firms are being forced to turn down orders because of the shortage of skilled labour. Many have also given up advertising for help as futile.

We know, Mr. Speaker, that in previous years help was available from other countries, but now those countries are experiencing high employment and the European Common Market to date has brought great prosperity to the countries from where Canada in recent years has drawn her labour supplies.

It would seem that in the next few years this situation will not change, and so I think we have to put more vigour into upgrading our own work force here in Canada. However, the energy crisis now in North America and Europe is clouding the overall world picture. And so the situation, Mr. Speaker, is very uncertain indeed.

Since June 1, a Mr. Vogel, a member of the Kitchener Chamber of Commerce education committee, has been trying to enlist support for a plan that would involve industry, government and education in a training programme. His idea is to involve industry in a pilot project with boards of education. He would enlist 10 industries in the region and 20 students to launch the programme. Over a period of three or four years, the students would be trained partially in theory in the classrooms as well as be given practical experience. I have been informed that the idea of co-op training is presently under consideration by the Ministry of Colleges and Universities. At this time, it is not known what approach, if any, the ministry will take.

Personally, I feel this new concept would be a tremendous aid to small industry. The possibility of success is very high, especially since such a programme has been tried at the professional level with encouraging results.

In the past, Ontario has been primarily concerned with opening its doors to the world. In addition to 16 foreign offices, Ontario has been involved increasingly with overseas sales missions, trade fairs, and incoming buyer programmes, and one of the difficulties also facing small business is the fact that the government may and does help them to obtain orders in the export market. But they are still faced with the problem of financing the orders that they receive.

For instance, if a person or firm is able to manufacture a quantity of goods and the quantity of goods is then invoiced to the buyer, he, the seller, can go to the bank and obtain a loan until that invoice is paid. But I suggest the provincial government should consider a plan that would allow the seller, when he has a firm signed order in the export market, to be able to approach the provincial government for a loan so that he can buy the raw materials and pay the wages in order to complete the order. And I think, Mr. Speaker, this would be a great help to small businessmen as they contemplate the export market.

We should also expand the present plans that help companies sell domestically. There are approximately 13,000 manufacturers in Ontario, and 80 per cent of these employ up to 50 people and 25 per cent engage 15 employees or less.

I was very pleased to find out that the trade development branch of the Ministry of Industry and Tourism will be launching shortly a new service to the small business that lacks the volume of sales to make exporting a viable proposition. A new marketing staff is presently being hired. The service will advise companies and agents and distributors, give financial advice and help in reorganizing sales programmes. At the moment, no one has easy access to information on what everyone makes. To improve this situation, the domestic marketing service will be contacting such organizations as the chamber of commerce, sales managers' associations, importers' associations and other agents and distributors for complete data on what type of product is required and where the market is.

The Ontario government at the present time provides a number of programmes to help establish and assist small business. For example, those planning new manufacturing establishments are assisted in feasibility studies. Established manufacturers are aided in finding new business opportunities, products, subcontract work, or inventions in order to maximize the use of production facilities.

Mr. Speaker, there are also other government programmes designed to help small businessmen. But what has been missing is an organization with a focus on the matters concerning small and new enterprises here in Ontario. This void should be filled by having what I would call an advisory council of independent businessmen recommended by small business groups and appointed by the government to act as a liaison between government and business. The importance of this cannot be underestimated.

The problems that affect small businessmen are unique and touch every ministry of this government. This council of independent businessmen could include the following programmes: It could hold quarterly public meetings where businessmen would air their problems knowing that they would be taken back to government. Meetings could be held across the province, and the people appointed to this council should be from all parts of the province and consist only of men and women operating small businesses.

They could advise government on legislation—either new legislation or revised legislation—that is required to foster and enhance the legitimate rights and aspirations of the new and small business enterprises of the province. They could co-ordinate the new- and small-enterprise-directed activities of the Ministry of Industry and Tourism with other ministries and the federal government at the policy formulation stage.

As part of its role the council could organize a small businessman's week designed to make the public aware of the problems and the importance of small businesses to society and also to outline their advantages to the consumer.

In competition with large stores, small merchants are often fighting a losing battle. Millions of dollars are spent each year by these giants to brainwash the consumer. In the case of a chain store, one advertisement covers a large number of stores. However, for the small independent merchant, advertising becomes uneconomical and the public therefore remains unaware of the advantages of shopping at the small establishment.

The small businessman, unlike the hired employee of the department store, is genuinely concerned about his customer's satisfaction. To be courteous is not just a job for him, but his livelihood. Often he is a specialist in his field and has a far greater knowledge of his products. In terms of price, I think one will find that except for highly advertised products, prices are competitive.

Mr. Speaker, if we seriously think of the future of small business in Ontario, the thought of it fighting a losing battle becomes very real. I don't know what percentage of the available business is now going into the hands of the large chain stores or large department stores, but with the large shopping malls on the outskirts of every large city and town in this province it must be a high percentage.

I think back during the Depression years people were able to go to their small corner store or their general store in the rural areas and obtain credit. Indeed, Mr. Speaker, through the Depression years before welfare programmes came into effect, many people were able to live because of the small merchant who was willing to extend them credit. I suggest to you that this was the only way many families were able to survive in those difficult days, and still in some general stores of this province there is a barter system where people bring in various farm commodities and have them credited against their bill.

This type of business would never be tolerated by the large chain stores. What do they care about a person's personal financial problems? If you have the money, you are able to obtain the goods. If you do not have the money at that point, you cannot obtain them unless you have a credit card.

On another matter, Mr. Speaker, many members, including myself, have received mail from constituents on the subject of provincially-legislated and regulated store hours. In the past, as well as the present, it has become increasingly necessary for government at all levels to intervene in the marketplace and control such things as bankruptcies, fire sales, transient traders and going-out-of-business sales just to mention a few.

I am of the opinion that once again it is time for the government of Ontario to act and impose reasonable limits on the hours that retail stores carry on business. By its very nature, retail enterprise in Ontario is highly competitive. Store hours have been used as a competitive device and will continue to be

used in the absence of legislative restraint. The need to compete will inevitably lead all retailers to longer and longer hours, but when all stores are open, the competitive advantage afforded by extended openings would disappear, although the cost would remain with all the stores involved.

A vast number of persons are employed in Ontario retail establishments—very close to 400,000. If retail hours are allowed to lengthen, these people will be required to work longer hours or part-time help will be hired. The added hours of labour are not the usual working hours. They include evenings, holidays and perhaps even Sundays. These are times when the family group is usually together enjoying the goodness of home life for leisure and recreation, or religious worship.

In addition, the longer these people must work in their regular job the less time they can devote to the various community organizations where people are still able to give of their time. In my experience, very few full-time employees want to work these extra hours. They work them only because of the competitive demands of the retail industry.

This controversy has developed over the past 10 years with the spread of shopping centres and huge enclosed malls. The biggest centres draw the biggest crowds with their huge free parking lots, their tremendous display of merchandise and their controlled climates. They are magnets to thousands of people living within a wide radius. The operators make their money on a percentage of gross sales, and it is obvious they have got to press for the longest possible hours of sale, but only comparatively few retailers can become part of these massive shopping emporia.

The major tenant often has a right to approve the others. Thousands of businesses are ruled out as being poor credit risks or competitors to the main tenant. If we control hours, the special characteristics of regional shopping centres guarantee that its tenants will get a full share of the available dollars. If we do not control hours, we are virtually giving the power of life and death to a few corporations over a mass of merchants who cannot successfully compete where they are, largely because of the centre's hours and yet who have no hope of being accepted as tenants.

Mr. Speaker, this brings up another problem in these large shopping centres where the lease, in some cases as I understand it, guarantees that the merchant in that establishment will stay open the required hours as specified in the lease, even though this means he must be open seven days per week. A number of constituents have been in touch with me regarding uniform store hour legislation here in the Province of Ontario, and the feeling seems to be that people should be able to do all the shopping that is required in six days and that stores should remain closed on Sundays and recognized holidays.

I know it has been suggested all stores should be allowed to open six nights a week until 9:30 o'clock in December, prior to the Christmas season, in order to serve their customers at the peak of demand. It has also been suggested that emergency needs and tourist demands including drugs and meals, gasoline, films and so on, be exempted from the legislation. I feel certain that legislation could be devised which would close all stores on Sundays except possibly those operated by one individual and having less than three employees or under a certain square foot limit and, of course, those in tourist areas.

I think it would be reasonable to exempt stores in the tourist areas of the province because in these areas it seems to be necessary to have stores open seven days a week in order to provide for the necessities of tourists and cottagers in those areas. I feel certain, Mr. Speaker, that unless Ontario does enact legislation soon store hours will be out of control and a pattern would be set which would be very difficult to turn back.

The green paper put out by the Provincial Secretary for Justice (Mr. Kerr) will, I know, ensure public discussion on this very important issue.

Mr. E. W. Martel (Sudbury East): How many years of public discussion?

Mr. W. Ferrier (Cochrane South): We know enough now.

Interjections by hon. members.

Mr. Wardle: Mr. Speaker, most Canadians do not realize how important small business is to the Canadian economy. Companies with fewer than 100 employees account for the jobs of about 60 per cent of all working Canadians and 40 per cent of that work force is employed in firms with 15 or fewer workers.

The private operators should be recognized as prime sources of innovation in our economy. Many small businesses have grown to be large corporations. The value of the small businessman in our economy is inestimable. He tends to be vigorous and ambitious and to be a meaningful contributor to the com-

munity. He works long hours, often averaging 70 to 75 hours a week in order to survive in business. No 44-hour week for the private person in business. A small businessman does not go out on strike. He does not riot. He doesn't walk around carrying placards.

Mr. Martel: Not like teachers.

Mr. Wardle: He does not withhold his services. He does not boycott things. He just attends to his own business.

Mr. Martel: Watch that mob rule.

Mr. Wardle: Such people have a particularly valuable outlook; different, I suggest, from people who have careers within large corporations. The spirit of independence is a basic strength of the nation. Mr. Speaker, I suggest that the government should give more attention to thinking about the needs of the small businessman here in the Province of Ontario.

Mr. Speaker, I would like to turn to other matters which are of interest to people living in my riding of Beaches-Woodbine. During the high watermark of the past spring season the eastern beaches of the city of Toronto were heavily damaged and part of the beach area was swept into the lake. Our boardwalk on the eastern beaches was badly damaged and it still has not been entirely repaired. However, the Metro Toronto and Region and Conservation Authority is working with the city of Toronto and other agencies on a plan for the eastern beaches and the hope is that in two or three years this will become an even better area for recreation and enjoyment for the people living in Metropolitan Toronto.

Another concern is the Scarborough Bluffs which are easterly from Beaches-Woodbine riding. Those who have seen the Bluffs realize they are a matter of great interest to the people who live in this particular part of Ontario. The Scarborough Bluffs are unique.

It has been very discouraging over the years to a person like myself, who has appreciated the Bluffs and has visited there on a number of occasions, to see the gradual erosion of the Bluffs and the amount of land which has fallen into the lake. We do know that over the years the federal government has had many studies made, but I suggest that the time for studies is long past and urgent attention should be given to preservation of the Scarborough Bluffs, which is a great natural area and one which I think commends itself to those who are interested in preserving the water line and the visual aspects of Lake Ontario. Work is now under way by the Metro Toronto and Region Conservation Authority and I know the area will be so enhanced it will be a benefit and attraction to all the people living in our province.

I should like to mention also, Mr. Speaker, that Greenwood Raceway is also located within Beaches-Woodbine riding, and this track provides enjoyment, if not financial profit, to many thousands of people.

Many years ago race meets were held at this track, the thoroughbreds having one meeting in the spring, another meeting in the fall. We recall very well the thousands of people who came down to the racetrack and enjoyed the sport. However, in the past few years, with the renovations at the track and the great increase in traffic, the Greenwood Raceway has provided some problems to the people living in that immediate area.

The thoroughbred meets are now held in the afternoons, and during the hours of the races parking is at a premium on the residential streets about the track. Ample parking is provided within the grounds, but many people prefer to park on the street and take the chance of receiving a parking ticket. This causes great concern to the people of this area.

The trots are held in the evening hours, and again this presents the people of the area with a parking problem. I think the problem of parking in the evening, again, is probably more urgent than that of parking in the afternoon, because men have arrived home and their cars then are parked on the streets.

I must say that in my time as a member of the Toronto city council representing the area, The Jockey Club Ltd. were very co-operative on any suggestions or complaints that I passed on to them. Three years ago they did agree to landscape the property round the track. They planted trees and shrubs and paved the parking lot to keep down the dust, and made a number of improvements, such as cutting down the noise at night. I have found them very co-operative when matters like this are brought to their attention.

Mr. Speaker, back in 1963, The Jockey Club Ltd. applied for permission to hold Sunday racing at the Greenwood Raceway, and also at the new Woodbine track in Etobicoke. At that time I attended a number of public meetings in my area, and the opinion of the people living in the immediate vicinity of the track was they would be opposed to racing on Sunday. However, there was no opposition to the thought of

having racing on Sundays at the new Woodbine track, which is far removed from any residential area. The result of this, Mr. Speaker, was that there was a compromise. The Jockey Club Ltd. accepted Sunday racing at the new Woodbine track, but agreed that they would not, until released from their commitment, stage Sunday racing at the Greenwood Raceway. I felt this was a fair proposition and they will not apply for Sunday racing at the Greenwood Raceway because of the problems this would cause the residents.

I say this, Mr. Speaker, for several reasons. First, we now have racing five or six days a week when the meets are in progress, and surely there should be one day of the week when racing is not permitted. Sunday is a time, as you would know, when people visit relatives and friends in the area, and if Sunday racing were permitted this would become almost impossible. Not only that, but the area immediately adjacent to the track has a large Olympic-size swimming pool and a large beach and recreation area, where in the good weather thousands of people attend on a Sunday afternoon.

I realize that racing would not start until 1:30 in the afternoon, but people start arriving for the races long before that. We have directly opposite the racetrack one large church with a number of masses taking place on Sundays, and also a smaller church that would certainly be affected should Sunday racing be allowed.

An hon. member: Amen.

Mr. Wardle: A great majority of the people in the immediate area of the track are opposed to Sunday racing. I recently attended a public meeting in that area, and they told me that Sunday races to them is something that should not be permitted. I have this information also from other churches in the area, whose members would like to see Sunday free from horse racing in our part of the city.

Under the bylaw that was passed by Metropolitan Toronto council in 1963, the only way Sunday racing would be permitted would be by resolution of the Metropolitan Toronto council. They could release The Jockey Club Ltd. from their commitment. The residents of Beaches-Woodbine riding who have spoken to me about this matter have asked if there is something that the province could do to pin down the matter, that there shall be no racing permitted on Sunday at the Greenwood Raceway.

I have referred this matter to the Attorney General of this province (Mr. Bales) in the hope that he may find a way of strengthening the position of the council of Metropolitan Toronto and the Toronto city council, who have the initial responsibility should there be any change contemplated.

Mr. Speaker, when I spoke in the Throne Speech debate recently, I mentioned the fact that in Beaches-Woodbine riding we need nursing homes to look after the people who desire to live and continue to live in our part of the city. I am pleased to report that since that time one large new nursing home has been completed. I think, Mr. Speaker, that our needs in Beaches-Woodbine would be met if we could have one more nursing home built south of Kingston Rd. in the Beaches area to look after those senior people who require this type of service.

Mr. Speaker, as members of this Legislature, we all know people who, if they need to go into a nursing home, would like, if it's possible, to be able to stay within their own community so they can be visited by their friends. I hope this is what will be done, not only in Beaches-Woodbine but in every riding throughout this Province.

Mr. G. Nixon (Dovercourt): Good thinking.

Mr. Wardle: Another need we have is for more day-care centres. Over the years I have been impressed with the women who have been left alone to bring up a family and who are bright and intelligent and have the desire to work. They should be enabled to carry on their work and to receive their wages, and still know that their children are being looked after in the proper manner.

I know that over the years many people have made private arrangements with neighbours to look after their children while the mother is away at work. These arrangements, of course, are often quite satisfactory, but others are not as satisfactory as they should be from the standpoint of the children.

It is a good thing for a person to have care of a child, and at the same time to provide the child with a useful occupation, and hopefully to provide for the child a learning experience.

I commend our Ministry of Community and Social Services, which is concerned with providing excellent day-care facilities for mothers, and indeed parents who require this type of service for their children; and

I commend this government for their past endeavours in this matter.

I know that legislation will soon be introduced to provide increased capital grants for the installation of the needed day-care facilities, whether it be in a church or public building, or a new building built for that purpose. I am sure that in every section of Metropolitan Toronto and all other parts of this province there will be found people who require this type of service, and children who will benefit by the instruction and the care that is given.

There are a number of organizations, in Beaches-Woodbine riding doing a splendid job on behalf of the community. I should mention the Beaches unit of the Canadian Cancer Society, a very active group composed of people who meet regularly and give the needed service to people who require their help. I also commend those people who drive patients back and forth to the hospital for their necessary treatments, the women who roll bandages and sell tags, and who do all the work to make this a successful organization.

We also have a "Meals On Wheels" programme, which I know is of great help to our senior citizens who require a hot meal at regular intervals during the week. It is very sad when older people, even though they may have the means to buy food, are getting along on tea and toast. I commend the people who give of their time to participate in the "Meals On Wheels" programme. They obtain the hot meals from the East General Hospital and deliver them to the people who need them, and at the same time pay a friendly visit.

I think this type of programme could be enlarged, Mr. Speaker. I see no reason why churches which are interested in their community could not make their kitchens available two or three days a week, so that volunteers could come in and prepare hot meals and take them to the people in that area who require this help. It is not only a matter of some people having a small income. As I say, Mr. Speaker, these people may have the income but they don't have the incentive to prepare themselves a proper meal.

I also commend another group called the "Friendly Visiting Service"; these people are calling on older people and spending a little time with them, helping them over some lonely times to let them know that people care about them.

And, Mr. Speaker, we should care about people, not only during the Christmas season but for 12 months of the year. This is one way of doing it.

I should like at this point, Mr. Speaker, to commend the provincial government on the report brought in by the task force on the Workmen's Compensation Board. Over the past two years I have had several cases that came before the Workmen's Compensation Board, and I must say that I have sympathy with workmen who have been injured on the job and have been reduced from a good wage—a wage that enabled them to look after their obligations—to a situation where they are receiving only part of their previous salary and no hope of obtaining a job from which they could earn enough, along with their compensation, to get back to their previous earnings.

I must say I support the task force recommendations of having special counsellors to assist claimants, applicants and persons requiring rehabilitation; the establishment of information and claims centres throughout the province open at hours that are suitable to people making a claim; and also provision of multi-lingual staff members where necessary.

I think, Mr. Speaker, that people who are unfortunate enough to be injured on the job should be able to obtain enough income to maintain their standard of living, and to look after the obligations they have undertaken based on their expectation of having steady employment at a good wage. I know that it means more money as far as the employers are concerned, but I would think that employers generally would feel this is an investment. Because employers, I am sure, would not wish their employees to be placed in a position where they would have less money than they would had they been able to continue working at their previous employment.

I also like the plan the government is bringing out of an experimental bursary programme for students and part-time students. This will enable single persons, probably some on unemployment insurance or welfare, or people who have low family incomes, to continue credit courses leading to a certificate, a diploma and a degree.

I must say that over the years I have been very impressed with the type of programmes the provincial government have provided, especially to newly-arrived immigrants to this country. Mr. Speaker, we know the problems facing an immigrant from another country who comes here. He may not even understand or speak English, and the help

the provincial government has given to these people has been of great benefit to them.

I personally know families in this situation. I visited a family yesterday who just a few years ago came to this country not speaking a word of English. They are now well established, and they believe, of course Mr. Speaker, that Canada is the greatest country in the world, they are so happy to be here.

Mr. G. Nixon: Great stuff.

An hon. member: Right on.

Mr. Wardle: This enables people to advance themselves from low-paying jobs or from unemployment insurance or welfare to a situation where they can obtain higher wages and make their contribution to the economy of this province. Mr. Speaker this additional training, though it may seem costly at the time, does enable people to obtain better jobs. And of course, through income tax, the government will soon retrieve the money that was put out for this additional education. I think, Mr. Speaker, this investment is fully recovered in about three years' time as far as the income tax is concerned.

I know the people in my riding feel transfer to the provincial government from municipalities of responsibilities under the new Construction Safety Act and its regulations will be a forward step. This will require employers to be more conscious of the necessity of safety. Through advertising and communication pamphlets—hopefully in languages in addition to English—the worker will know what his rights are under this construction safety programme.

Mr. Speaker, I have a number of people in my riding working in the construction industry. I know how much they appreciate what this government is doing for them through this Construction Safety Act and the forward-looking programmes this government has.

Mr. G. Nixon: Progressive.

Mr. Wardle: Finally, Mr. Speaker, I commend the government for the special pensioners' assistance grant of $50 passed the other day. Recipients of the guaranteed income supplement in Ontario will benefit. We have acknowledged that they needed this at this time because of the increase in the cost of living. In addition, the householders are all eligible for a special tax credit of $100, along with the Ontario property tax credit and sales tax credit.

I know this government will continue to bear in mind the needs of the people of this province, so we will indeed be a province of opportunity and a province which puts people first.

Thank you, Mr. Speaker.

Mr. Speaker: The member for Essex-Kent.

Mr. Ruston moves the adjournment of the debate.

Motion agreed to.

It being 12:30 o'clock, p.m., the House took recess.

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No. 174

Ontario

Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Monday, December 17, 1973

Afternoon Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 17, 1973

The House resumed at 2 o'clock, p.m.

Mr. Speaker: Statements by the ministry.

Oral questions. The hon. Leader of the Opposition.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. R. F. Nixon (Leader of the Opposition): Perhaps we might ask the Provincial Secretary for Social Development if he is now prepared to tell the House what his colleagues have been discussing as far as the bill that has been put before the Legislature having to do with compulsory arbitration for teachers is concerned? Is there a change in policy; or is it decided on the part of the government that the issue is going to be the one expressed by the Minister of Education (Mr. Wells) when he said: "We fear mob rule"?

Hon. R. Welch (Provincial Secretary for Social Development, Minister of Housing): Mr. Speaker, there is absolutely no change in the policy of the government as it's embodied in the principle of Bill 274.

Mr. R. F. Nixon: A supplementary: I wonder if the minister then can assure us, before we continue with the debate, that the Premier (Mr. Davis) is going to explain to the House what role he has taken in attempting to get a settlement before it goes to the point where the government's only explanation is that it is reacting simply to save democracy from mob violence, the words the minister tends to use so frequently?

Mr. T. P. Reid (Rainy River): Over-reacting!

Mr. E. W. Martel (Sudbury East): Is the minister hiding from the mob?

Hon. Mr. Welch: Mr. Speaker, the hon. Leader of the Opposition can address whatever questions he likes to the Premier when he arrives.

Mr. S. Lewis (Scarborough West): By way of a supplementary, since the hon. minister in fact is the minister in charge of the policy field within which education falls, can he explain to the House how a Minister of Education who uses words like "intimidation" and "mob rule" about his own teachers can ever expect to be able to win their respect and relate to them effectively in the future, given the debacle of the last several days and particularly of the last 24 hours?

Hon. Mr. Welch: Mr. Speaker, no doubt the minister will indeed be able to respond to this type of question himself. The question is based on certain assumptions, which from my consultation with the minister are not correct assumptions, with respect to the reporting of the minister during his activities yesterday.

Mr. Lewis: A further supplementary: Am I to understand—and I suppose the Premier can answer it as well—that the Minister of Education was misreported, that he did not use the words "intimidation" and "mob rule" to describe the conduct of his teachers?

Hon. Mr. Welch: Mr. Speaker, my answer was very clear. I said the question of the member for Scarborough West was based on certain assumptions, which no doubt came from the newspaper reports of yesterday—

Mr. R. F. Nixon: He was assuming the reporting was correct.

Hon. Mr. Welch: —and I would indicate to him—and no doubt he can ask the minister when he arrives himself—that I think it is unfair for the member to draw conclusions from those particular reports. From my consultation, they are not a fair reporting of the minister's statements.

Mr. R. F. Nixon: A question of the Premier, Mr. Speaker:

Perhaps we could persuade him, before we continue with the debate on the teachers' compulsory arbitration bill, to make a statement on what role he has played, particularly in the last few hours if not over the weekend, in attempting to get a settlement with the 15 or 16 boards that have not yet settled so that there might be some justification from his point of view in withdrawing the bill?

Can he assure us that everything is being done and has been done by himself and his colleagues in the cabinet to reach a settlement that would permit the withdrawal of the bill so that we could go on to an examination of the principle which the government is supporting, some time in February or when the House reconvenes, in a situation less fraught with acrimony and with a tendency on the part of the Minister of Education to use very ill-chosen phrases indeed, of the kind that were reported in the Globe and Mail this morning?

Hon. W. G. Davis (Premier): Mr. Speaker, I will attempt not to be—

Mr. D. C. MacDonald (York South): That's a change!

Hon. Mr. Davis —provocative, but I would only suggest if there was an accurate report of the Leader of the Opposition's remarks to a certain group of elementary school teachers yesterday, that the remarks, if any, made by the Minister of Education, would be really very pale in comparison.

Mr. R. F. Nixon: I said I would see them at Queen's Park and I expected—

Hon. Mr. Davis: Oh, sure, the member encouraged them to come.

Mr. Lewis: Why not?

Mr. R. F. Nixon: Is it not their right?

Hon. Mr. Davis: Fine, except their responsibility is in the schools tomorrow. The Leader of the Opposition encouraged them to come here.

Interjections by hon. members.

Hon. Mr. Davis: I would only say this, Mr. Speaker—

Mr. R. F. Nixon: As long as the Premier is not being provocative, what is he doing to settle this? Was he sitting on his butt all weekend? How many teachers did he meet?

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Davis: I hear a great deal about autonomy from the member for Brant (Mr. R. F. Nixon) when it suits his political convenience. There is no question that the 16 disputes that are still going on in this province are disputes that, if they were settled by Dec. 31, would of course negate the bill that we are presently debating—and no one would be any happier than myself if those disputes were to be resolved.

Mr. R. F. Nixon: What has the Premier done about it?

Hon. Mr. Davis: I think it is fair to state that we would be unwise to go on the assumption—obviously, or we would not have this bill—that necessarily they will be resolved. The Minister of Education convened a meeting yesterday of the representatives of the 16 boards and the teacher representatives from the affiliates of the OTF, where certain discussions took place. I think it is fair to state, Mr. Speaker, that in spite of some of the stories in the press, the meeting by and large was positive.

Mr. M. Cassidy (Ottawa Centre): They all thought it was a waste of time.

Hon. Mr. Davis: I think it is also fair to state, Mr. Speaker, that one cannot say that as a result of those meetings, any or all of those 16 disputes are going to be settled. While I recognize it is, of course, the political posture of the Leader of the Opposition—

Mr. R. F. Nixon: Come on, why doesn't the Premier deal with this business?

Hon. Mr. Davis: —to say that the Premier should knock a lot of heads together in order to get him out of a difficult position, where he still can't make up his mind whether or not he's in favour of compulsory arbitration—

Interjection by an hon. member.

Hon. Mr. Davis: —that's not the way we do business. I would say to the Leader of the Opposition it would be very comfortable for him—

Mr. Cassidy: Bring in another new bill.

Hon. Mr. Davis: —and there's no question a lot of us would feel a lot easier if we didn't have to face these problems, but at some point in time—

Mr. R. F. Nixon: Nobody wants the walkout.

Hon. Mr. Davis: —the member is going to have to decide whether, as a matter of principle, he believes that the school system, the process and the kids in it, deserve the kind of objective judgement and priority which we in this government are prepared to give.

I would say to the Leader of the Opposition he can talk about postponing the present difficulty of the 16 boards, but at some point in time he and his colleagues are going to have to make a determination as to whether or not we are going to have negotiations within the school system of this province brought to finality through some other process than by strike.

He cannot have it both ways; although he can make all the speeches he wants and he can ask me all the questions here trying to get himself off the hook. I would only say, Mr. Speaker, the minister has made every effort—

Mr. R. F. Nixon: Why can't the Premier settle it?

Hon. Mr. Davis: —and I have some knowledge of the activities that have been engaged in, to try to see whether or not these matters can be resolved. But, Mr. Speaker, we in this government have a public responsibility.

Mr. Cassidy: The Premier has—

Hon. Mr. Davis: That responsibility is to see that the school system functions.

Mr. Cassidy: Right.

Hon. Mr. Davis: That includes tomorrow, that includes Jan. 4; and while it is very uncomfortable for us, and I'm the first to admit it—

Mr. Lewis: It's not uncomfortable for the Premier.

Mr. Cassidy: It's totally cynical.

Hon. Mr. Davis: —we intend to do our best to see that that happens.

Mr. Lewis: It is a deliberate and cynical policy. It is not uncomfortable.

Interjections by hon. members.

Mr. R. F. Nixon: The Premier can posture and make cheap politics over an important issue as long as he wants, and he can come into the House to make statements like that; but I would like to ask, as a supplementary question, why he did not participate in the interviews that the Minister of Education had with the leaders of the teachers' professional organizations over this weekend? The Minister of Education has failed in previous months. Why didn't the leader of the government put himself in a position to—

An hon. member: He's got a lot of experience.

Mr. R. F. Nixon: —to assist in the settlement so that this bill could be withdrawn? He is the architect of all this mess.

Hon. Mr. Davis: Mr. Speaker, we are back to the same old question—withdraw the bill so that my life can be more comfortable. That's what the member for Brant is seeking.

Mr. R. F. Nixon: We are not worrying about getting home for Christmas.

Hon. Mr. Davis: I would say to him—

Mr. R. F. Nixon: We are prepared to be here right to the end of January, and we will so do.

Hon. Mr. Davis: I would say to him that the Minister of Education in this province and his ministry—

Mr. R. F. Nixon: He has failed.

Hon. Mr. Davis: —have made every effort to see that these disputes are resolved.

Mr. Cassidy: That's untrue.

Mr. Lewis: That is not true.

Hon. Mr. Davis: When one calculates the significance of his success—

Mr. Lewis: That is not true.

Mr. J. A. Renwick (Riverdale): The Premier has created a calculated situation.

Mr. Lewis: The Premier has calculated this situation. I didn't believe it at first; I was too bloody naive.

Hon. Mr. Davis: —and measures that against the 16, I would say without any question he has not only made the effort but he has done, really, quite well in the circumstances.

An hon. member: He has failed.

Hon. Mr. Davis: No, he has not.

Mr. R. F. Nixon: How can the Premier permit his Minister of Education to use phrases of the type reported this morning, which he used against the teachers and the teachers' professional organizations?

Hon. Mr. Davis: He didn't say it to the teachers.

Mr. R. F. Nixon: He said it was mob rule.

Hon. Mr. Davis: Ask him.

An hon. member: And intimidation!

Mr. R. F. Nixon: And intimidation! He should be dismissed.

Mr. Lewis: Poor fellow; he was misreported.

Mr. Renwick: He had better get up on his feet on a point of privilege and say so.

Mr. Lewis: Why doesn't he get up on a point of privilege?

Mr. Speaker: Order.

Mr. Lewis: Does he want a point of privilege to qualify his answer?

Mr. Renwick: Let him get up quickly, for heaven's sake.

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I will tell this House I was not misquoted. I never indicated I had been misquoted, but in a heated discussion with a reporter from the Globe and Mail—

Interjections by hon. members.

Hon. Mr. Wells: —discussing the philosophy of how governments have to operate and how they operate vis-à-vis presssure groups in society, I used those kinds of words. I certainly didn't use them in the context—

Interjections by hon. members.

Hon. Mr. Welch: Listen.

Hon. Mr. Wells: —or the nature that would lead them to be used as a headline—

Hon. Mr. Welch: That's the point.

Mr. Renwick: This reflects the minister's philosophy and he knows it.

Mr. J. R. Breithaupt (Kitchener): His stream of consciousness.

Hon. Mr. Wells: —a headline strip across the front of the Globe and Mail.

Mr. Lewis: Mr. Speaker, my colleagues told me I was wrong and they were right. I was innocent at the outset. I didn't understand the cynical, manipulative process in which the minister was engaged over the last week and which he is prepared to drive right through to the end.

Mr. D. R. Timbrell (Don Mills): Not true.

Interjections by hon. members.

Mr. Lewis: Let me ask the Premier, if he has such love and feeling for the system and the kids and the parents and all those ingredients to which he pays homage, how has he and his Minister of Education managed so artfully to alienate the entire teaching profession on whom that system depends?

Mr. Speaker: Order.

Hon. W. A. Stewart (Minister of Agriculture and Food): They are not all alienated.

Interjections by hon. members.

Hon. Mr. Davis: I guess I could draw on some years of experience, and even a certain degree of memory as it relates to some of the positions taken by the now leader of the New Democratic Party and his own observations of the school system, but to do so would be provocative and I shan't.

Mr. Lewis: Well try to—

Hon. Mr. Davis: I could go even further if called upon.

Mr. Renwick: The question was addressed to the Premier.

Hon. Mr. Davis: And I'm going to answer it. If the member for Riverdale will be patient I shall answer it.

Mr. Speaker, I do know a number of people in the teaching profession and a number of them are concerned; some of them angry, some of them not. I recognize they are upset with the proposed legislation from the standpoint of its effect on what they believe to be their position within the school system. I think, Mr. Speaker, there is some degree of misunderstanding, and not completely the fault of the profession by any means.

What has not clearly emerged, and I think needs to be restated is that the prime objective of this bill is to have the schools active, educating the children, on Jan. 3 or 4; that the bill is confined to the X number of teachers in the boards that are listed under the schedule contained in the bill; that in the bill, the government without any question, as a mechanism to bring some finality which we believe should be compulsory arbitration because of the legal

nature of the situation, has extended the term of the contract from the end of December until the end of August.

We are not interfering, and this has to be emphasized, with the right of the individual teacher who in a bona fide fashion wants to resign.

Mr. Renwick: The Premier is questioning the bona fides of the resignations.

Hon. Mr. Davis: I think it has to be stated that mass resignations are not what they say. A mass resignation is in fact—and the members over there have stated it—the same as a strike.

Mr. J. F. Foulds (Port Arthur): Except they don't have the protection of strikers.

Hon. Mr. Davis: The history—and I've been involved in the history—of the traditional negotiations between the trustees and the teachers, between the OTF and the trustees council, has been, until the last year or so, on the basis that mass resignations would not be used as a negotiating tool.

Mr. Cassidy: But that was 20 years ago, the whole system has changed.

Hon. Mr. Davis: I think it must be stated here in this House, Mr. Speaker, that what we are attempting to do is to find a vehicle other than strikes to bring about finality within the negotiation process—

Mr. Lewis: But not this way.

Hon. Mr. Davis: —and that is exactly what we are doing. We are not interfering with the right of the teacher who wants to resign. We are not.

Mr. Cassidy: Sure they are, Mr. Speaker.

Hon. Mr. Davis: If one is going to put it in the context of a class group, if one has mass resignations given to representatives of the federation—not to the superintendent, to the principal or to the director—one is not dealing with resignation in the same context as if it is an individual teacher who wishes to resign for a bona fide reason.

Mr. P. D. Lawlor (Lakeshore): The legislation is illegal.

Hon. Mr. Davis: I think it is fair to state, Mr. Speaker, that those resignations did not contain statements that those positions were being vacated. I think it is fair state—

Mr. Lewis: We all understand the process.

Hon. Mr. Davis: Certainly. Well I know, but these things have to be recognized—

Mr. Lewis: But they recognize them; the teachers recognize them.

Hon. Mr. Davis: —and this government is not out to confront the profession.

Mr. Lewis: Yes, it is.

Hon. Mr. Davis: No one has spoken—

Interjections by hon. members.

Mr. R. F. Nixon: And now the government is calling them a mob.

Mr. Speaker: Order.

Hon. G. A. Kerr (Provincial Secretary for Justice): The members opposite don't like to hear the truth.

Hon. Mr. Davis: No one in this House, Mr. Speaker, has spoken over the years more highly—and I say this advisedly to the member for Scarborough West and certainly to the Leader of the Opposition—no one has spoken more highly about the capacity of the teachers in the classrooms of the province than the Premier of this province himself, and I restate it right now.

Mr. Lewis: But the Premier doesn't believe it.

Hon. Mr. Davis: I do believe it.

Interjections by hon. members.

Mr. Cassidy: That is absolute hypocrisy.

Mr. Lewis: How can he say he believes it? After accusing them of mob rule, how can he say he believes it?

Hon. Mr. Davis: We are trying to solve a problem.

Mr. Lewis: The Premier is not solving a problem. He is deliberately driving the teachers to the wall and arousing all the anger against them. He is a cynical politician and he knows it.

Interjections by hon. members.

Mr. Speaker: Order, order. The hon. Leader of the Opposition.

An hon. member: Supplementary.

Mr. Speaker: There have been numerous supplementaries on this and there will be an opportunity for debate later on.

The hon. Leader of the Opposition.

SCARBOROUGH GENERAL HOSPITAL CHRONIC CARE WING

Mr. R. F. Nixon: The Minister of Health has finally come in just at this moment. He's the man I was waiting for. Has he got any information to give to the House on the matter pertaining to the Scarborough hospital board and its decision to change from one contractor that went into bankruptcy, to another one, who, I understand, is now also bankrupt? The second one's name is the first one's name reversed, and they are spending our money.

Hon. R. T. Potter (Minister of Health): Mr. Speaker, I have asked for the information. One of the reasons I delayed answering was that I was trying to get it. I haven't got the information ready, but I will give it to the Leader of the Opposition as soon as I get it.

HOSPITAL TENDERING

Mr. R. F. Nixon: I would like to ask the Minister of Health if he consults with his colleague, the Minister of Government Services (Mr. Snow), on a procedure for tendering, particularly in control of public funds, even though the funds do go through a board like the Scarborough General Hospital, which the minister indicates he feels to be democratically based, but which is really based on such a small group in the community?

Hon. Mr. Potter: Mr. Speaker, my colleague, the Minister of Government Services, hasn't anything to do with this particular matter.

Mr. R. F. Nixon: But the Minister of Health has.

Hon. Mr. Potter: No, the hospitals themselves call for the tenders in these specific instances.

Mr. R. F. Nixon: And did they?

Hon. Mr. Potter: I would assume they did. As I said, I have asked for a report, and when I get it I will make sure that the Leader of the Opposition gets it.

HOSPITAL APPEAL BOARD MEETINGS

Mr. R. F. Nixon: I have a question I would like to put to the Minister of Health having to do with the decision of the Hospital Appeal Board pertaining to Dr. Sheriton's appeal. Does he believe it's fair, since Dr. Sheriton was the first obstetrician and gynaecologist to apply for a position at the hospital, that the board should then find the hospital was correct in turning him down since the complement was completely filled? Surely there is a negation of basic justice in the findings of the Hospital Appeal Board in connection with the Sheriton appeal.

Hon. Mr. Potter: Mr. Speaker, whether I think it's fair or not is immaterial. We have an appeal mechanism set up. It went to the appeal board. If Dr. Sheriton is not satisfied with the decision of the appeal board, then of course he has the right to appeal that. I don't think I should be asked to give a personal opinion in this particular case.

Mr. R. F. Nixon: Supplementary: Since the minister has indicated that in the future he is contemplating a change in the Public Hospitals Act and the concept of hospital boards' powers to grant these privileges, will be undertake to read the judgement by the Hospital Appeal Board so that it might have an effect on the situation in the future and might improve government policy in this regard?

Hon. Mr. Potter: For the member's information, Mr. Speaker, I have already read it.

MONORAIL PROPOSAL BY STANLEY RANDALL

Mr. R. F. Nixon: I would like to ask the Premier, Mr. Speaker, if he has been approached by his former colleague, Stan Randall, with regard to the efficacy of a new means of modern urban transit, called a monorail, which his former colleague is anxious to sell to urban centres.

Mr. J. E. Stokes (Thunder Bay): To anybody.

Mr. R. F. Ruston (Essex-Kent): To anybody.

Mr. R. F. Nixon: Since the Premier seems to be the man most in that business, has he conferred with his former colleague? Is he going to assist Mr. Randall in building his $5 million experimental railway down on the Stelco property in Nanticoke? Does he take the alternative that Mr. Randall has

put forward as something that should be considered before we go forward with any further expenditure on our provincial plan?

Hon. Mr. Davis: Mr. Speaker, I think it would be reasonable to assume that my former colleague has mentioned this casually on one or two occasions. I was almost going to say that if we had accepted his proposal I am sure the form of the question asked would be quite different from what it is now.

Mr. Breithaupt: There may still be time.

Mr. R. F. Nixon: It sounded fairly reasonable to me.

Hon. Mr. Davis: As I say, I won't indicate to the Leader of the Opposition the form I think that question might have taken. My advice to Mr. Randall was that perhaps he might best discuss this with the Minister of Transportation and Communications (Mr. Carton) and with officials there. I don't purport to be an expert as to the various kinds of intermediate capacity carriers that may be developed, so I gave my former colleague, I believe, if memory serves me correctly, that suggestion. Perhaps the Minister of Transportation and Communications, if he is here tomorrow, might indicate whether or not such conversations have taken place, but I must confess I didn't get into detail on it with Mr. Randall myself.

Mr. Lewis: By way of supplementary, he didn't ask for a forgivable loan, did he?

Hon. Mr. Davis: Mr. Speaker, as I recall our conversation, it really didn't reach the point of finance.

Mr. Lewis: But that will come, that is around the bend.

GOVERNMENT TENDERING PROCEDURES

Mr. R. F. Nixon: I'd like to ask the Chairman of the Management Board why it is that over the last number of years the policy having to do with the establishment of computer facilities has been such that the criticism that is coming forward from the Globe and the Star in their carefully researched articles, indicates the policy is not to purchase but to rent, even though for the facilities we need, which are permanent, there would be savings in the one situation as opposed to the other. No tenders of significance have been called up till now, and even the rentals are on a short-term, high-cost basis.

Is there not a responsibility for the Chairman of the Management Board to take a considerable initiative in this regard and see that the matter is investigated more fully than simply to rely on the advice that he has been getting? And speaking of the advice, are these people actually getting $200 an hour to advise the hon. minister on the kind of policy he has been implementing?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Well, Mr. Speaker, in regard to—

Mr. R. F. Nixon: Two hundred dollars a day!

Hon. Mr. Winkler: —the computer question, I think the hon. member will know that as a result of COGP there is a recommendation to establish a centralized government body where computer services will be lodged. This is now a fact. It is under the Ministry of Government Services. There is a tendering procedure, I believe, ready to go out any day to the trade in general, so that it will be centralized through the Ministry of Government Services.

In regard to the past, where individual departments were allowed to develop computer services for themselves, it is well known that the three larger ones are being brought into this service. I think it is all effective now. The whole business will go out to tender, and I think the same policy will be applicable to boards and commissions; but I believe that the Minister of Government Services could more readily handle the answer in regard to the policy that he is operating under now.

Mr. R. F. Nixon: Supplementary: Could the hon. minister undertake to table, or at least make public, the bids that have been called for in the past rather than to keep this information obscured from those who are interested in seeing that the taxpayers are getting a fair deal?

Hon. Mr. Winkler: Does the hon. Leader of the Opposition mean in regard to the computers themselves?

Mr. R. F. Nixon: Yes.

Hon. Mr. Winkler: I'll endeavour to have a report in that regard. I'd like to say further, then, that the lease or buy situation that exists is one where the government could, in fact, save large and substantial

sums of money by going to contract; but because it was not previously an integrated programme, Government Services did not control every individual computer.

Mr. Lewis: Supplementary: I may have missed the first question, will the minister table the consultants' fees that were paid and to which consultants; and the whole process of negotiations around IBM and other computers for government?

Hon. Mr. Winkler: That's all available to me since the operation has come close to Management Board. I will undertake that.

Mr. Speaker: The hon. Leader of the Opposition? The hon. member for Scarborough West.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. Lewis: Mr. Speaker, to the Minister of Education, if I may. Did the minister and/or the Premier meet with one of the senior committees of the Ontario Teachers' Federation this morning — the negotiating procedures committee or whatever — which action has now caused them to retreat somewhere to analyse or discuss the contents of the meeting? Was there such a meeting this morning?

Hon. Mr. Wells: Yes, Mr. Speaker, I met with a group from the Ontario Teachers' Federation this morning.

Mr. Lewis: Well, wouldn't the minister think it would be nice to tell the House why; what he said to them and what it is they are presently looking at? We asked the Premier earlier for an up-to-date account of all the negotiations. Presumably, this must necessarily be a part of it. What was the content of the meeting?

Hon. Mr. Wells: Mr. Speaker, as I recall it, the Ontario Teachers' Federation wrote the Premier and indicated that they would be available if the Premier wanted to meet at any time. The Premier said: "Well, if you would like to come in and meet me, come in and meet me." As a result of that, the meeting was held this morning.

Interjections by hon. members.

Mr. I. Deans (Wentworth): And they just sat and looked at each other.

Mr. R. F. Nixon: No cynicism there. Just the friendly Premier.

Mr. Lewis: The minister had a meeting this morning? One of them, two of them, both of them had a meeting with the OTF this morning. Can we not be told?

Hon. Mr. Wells: I just indicated, Mr. Speaker—

Mr. Lewis: They said hello to each other; they shook hands across the table; they smiled. What did the minister do?

Hon. Mr. Wells: I told the hon. member we had a meeting and why it came about; and I don't really intend to say anything more, Mr. Speaker.

Mr. Foulds: Supplementary, Mr. Speaker: Is that meeting still in progress at the present time with senior members of the ministry's officials.

Hon. Mr. Wells: I don't know, Mr. Speaker; we are both sitting right here.

Mr. Deans: The minister didn't listen to the question.

Mr. Foulds: Does the minister plan to resume the meeting after the question period?

Hon. Mr. Wells: The answer is: not as far as I know, Mr. Speaker.

Mr. Cassidy: Supplementary: Could the hon. minister explain his statement yesterday that school boards could take 1974 money from the ceilings to apply to the 1973-1974 settlements; and can he state why—

Mr. Speaker: That question is not a supplementary question. I would tell the hon. member for Ottawa-Centre the question is not a supplementary question.

Mr. Cassidy: I think—well, okay.

Mr. Speaker: I think it is not a supplementary question. The hon. member for Scarborough West.

Mr. Lewis: May I ask the Minister of Education why he discarded the strong appeal to him from all of the school board chairmen in the Metropolitan Toronto area to extend the resignations in effect by one month and to eliminate the compulsory arbitration feature of the bill, giving the teachers one additional month?

Mr. Speaker: With respect, to the hon. member for Scarborough West, I think we have spent over 20 minutes of the question period debating the matter of the educational

issue, and I had indicated to the hon. members I thought there were enough supplementaries, and that we had an opportunity for debate later on. Surely the hon. member is not going to reopen this debate again at this time in the question period.

Mr. Cassidy: We are spending two weeks here because of the issue, Mr. Speaker.

Mr. Lewis: Well, Mr. Speaker—

Mr. Speaker: The standing orders of this House provide for a reasonable number of supplementary questions on any named question. We have allowed nine or 10 or 12. The hon. member is opening up the same topic—

Mr. Lewis: Yes, I am.

Mr. Speaker: —and I don't believe it is a proper topic for the question period, particularly since the debate on the bill is continuing later on.

Mr. Lewis: Mr. Speaker, I hesitate to use the time of the question period. I point out to you, sir, that the entire Province of Ontario has riveted its attention on this subject, that there are very few other subjects which occupy our time in the House now or anyone else's politically, as may attract as much interest within the province now—

Mr. J. P. MacBeth (York West): Let's get on with the debate then.

Mr. Lewis: —and I am asking the minister a quite separate and identifiable question on a specific proposal which was made. I really think that on this issue it would be unwise for the Speaker to cut off questions or supplementaries, and I put it to him that way.

Mr. Speaker: I have to point out to the hon. member, and indeed to all members, that I must operate under the provisions of the standing orders. I have been quite flexible from time to time in permitting supplementaries and attempting to personally determine the nature of the question, whether or not it warrants a larger number of supplementaries or extended discussion. I do have great difficulty in bringing myself to the point where the members and I agree on the importance of the question or the topic. I attempt to rule in the manner in which I think the members wish it to be ruled on.

In this case, however, I'm bound by the standing orders, and I would point out that there are only 15 minutes remaining in the question period. The hon. member for Scarborough West, as the leader of one of the parties, usually takes time about equal to that of the hon. Leader of the Opposition, and the remainder of the time is meant for the private members. In this case there will be no time left. I simply point out to the members that prolonged debate on the school issue, in my opinion, is not proper in this question period. I put it to the members that way.

Now, if the hon. member for Scarborough West insists, and if he feels that the rest of the hon. members would concur, I am not going to stop him from doing it. It is your question period. If you wish to proceed on that basis, all right, but I must point out that we do operate under distinct standing orders.

Mr. Lawlor: Go ahead.

Mr. Cassidy: Ask one more.

Mr. Deans: He can have my period. I give up my place.

Mr. Lewis: Well, do I have the permission of the opposition?

Mr. Reid: He has.

Mr. Breithaupt: Agreed.

Mr. Lewis: Then I shall ask this question and one supplementary of the minister, and within the same question let him answer it.

Why did he discard the compelling initiative put to him by way of private letter from the chairmen of all the Metropolitan Toronto school boards, asking the minister to abandon the compulsory arbitration feature of this bill and to extend the resignations to Jan. 31, which would give the 16 boards an opportunity to settle without all of the acrimony and unhappiness which they see has attended the present situation, and which they see—and so said explicitly—will undermine future relationships badly?

Secondly—and I would appreciate an answer to this as well—what does the minister think of the observation of his colleague, the Minister of Energy (Mr. McKeough) that the government has over-reacted to the question of mass resignations and might indeed cool it down at this point?

Hon. Mr. Davis: He didn't make that comment.

Hon. Mr. Wells: Mr. Speaker, very plainly, simply, and I hope forcibly, I would indicate to the hon. member that the press quotations of my colleague, the Minister of Energy, were wrong.

Mr. Lewis: They were wrong about him too? They were wrong about all of them? How is one cabinet so misquoted?

Interjections by hon. members.

Hon. Mr. Wells: He has communicated that to me this morning, and I suppose it shows the eagerness of the members of the press to jump upon things without very carefully checking them out.

Mr. Lewis: I see, I see. So it is not paranoia on the part of government?

Mr. Cassidy: No, the Minister of Energy was putting himself—

Mr. Lewis: They have never been misquoted before.

Mr. Cassidy: —so he can take the Premier's chair when they both resign.

Hon. Mr. Wells: The Ministry of Energy said: "Some people may have felt that this was premature, but I do not?" That is the full quote, and it was not properly or completely reported. So I think that that has to be very clearly said.

Mr. MacDonald: It is amazing how these professional journalists have suddenly become incompetent.

Mr. Lewis: I always thought I was the only one misquoted. It is reassuring, somehow.

Hon. Mr. Wells: I think the hon. member knows that we are all not maybe—

Mr. Lewis: As a matter of fact, that's not true.

An hon. member: He's been listening to the member.

Hon. Mr. Wells: I might say, Mr. Speaker, while this is digressing of course, I don't think many of us are misquoted. It's the fact that the press very often turns things around, half reports statements or puts improper headlines on them. That's really the problem.

Interjections by hon. members.

Mr. Lewis: Why doesn't the minister bring in a bill attacking them too?

Hon. Mr. Wells: I certainly wouldn't—

Mr. Lewis: All of them.

Hon. Mr. Wells: I am merely pointing out the fact, and I do it in no way to criticize—

Mr. Lewis: The teachers one day; the press the next day; the world tomorrow.

An hon. member: It won't be tomorrow.

Mr. Breithaupt: Next time there's a fire, lock the gallery door and make them stay.

Hon. Mr. Wells: I do it in no way to criticize the press. I merely indicate, as my friend stated, he's had that happen to him many times.

Mr. Lewis: It has not; I was kidding.

Hon. Mr. Wells: It has so.

Mr. Speaker: Order!

Hon. A. Grossman (Minister of Revenue): He's concerned that they quote him too correctly.

Mr. Foulds: That's about the slimmest book in the Legislature's library—the collective wisdom of Tom Wells.

Hon. Mr. Wells: Some of the NDP leader's friends in the Waffle tell me it's happened sometimes.

Mr. Speaker, in answer to the other question about the letter from the Metro school board, I'd be interested, of course, in knowing whether my friend agrees with the position put forward in that letter, and whether he thinks that—

Mr. Lewis: It's the minister's job to answer my question. I'll answer—

Mr. Foulds: If the minister wants to change roles, we will answer his questions gladly.

Hon. Mr. Wells: It's always good to ask rhetorical questions. It was my opinion that the so-called suggestion really didn't help matters at all—

Mr. Deans: His opinion on what helps is suspect.

Hon. Mr. Wells: —for those in the teaching profession who were bothered about the legislation altering the date of contract, that in fact still altered the date of contract.

Mr. Lewis: Yes, but it took out the one really objectionable feature.

Hon. Mr. Wells: I don't recognize that as a legitimate civil rights concern, as some of

them do; I do not accept it was altering the contract in an objectionable sense. But if the member did feel that way about it, the suggestion from the Metro school board still does that. All it does it change the date from Aug. 31 to Jan. 31.

Mr. Lewis: Yes, but it takes away compulsory arbitration.

Hon. Mr. Wells: Their suggestion was that it take away compulsory arbitration. I think this is a point which we feel is a point of principle.

Mr. Lewis: The minister is standing firm on that. Tough; on principle.

Hon. Mr. Wells: That's fine. I agree with the member's right to disagree with us on it. We think that somewhere along the line there has to be a way of settling these disputes and we feel that binding arbitration is the way. The member and I differ on this. It's our friends over here in the Liberal Party who don't know where they stand on it, except that their feet are firmly in the air.

Interjections by hon. members.

Mr. Speaker: The Minister of Revenue has the answers to questions asked previously.

RETAIL SALES TAX COLLECTIONS

Hon. Mr. Grossman: Mr. Speaker, we now get to less important matters, like revenue.

The hon. member for Essex South (Mr. Paterson) last Friday asked the following question:

> Can the minister advise the House as to whether sales tax collections in the past six months have lived up to the expectations of the government? Have they maintained their steady pace as compared to last year, discounting the 40 per cent increase?

The answer to that part of the question, Mr. Speaker, is yes.

Further he asked:

> Would the minister consider releasing these figures to the members at the end of each collection period so that we could have an indication, a barometer, of retail sales in the province, to try to discount some of this talk about depression in the future?

Mr. Speaker, I point out to the hon. member that four times a year the Treasurer publishes the revenue and expenditures position of the government, which also includes the specific details as to retail sales tax. These are published at the end of January, July and October, and in the fourth instance he incorporates this into his budget comments. I am sure the hon. member's caucus receives a copy of this if, indeed, he doesn't himself.

May I take this opportunity, Mr. Speaker, to answer another question asked by the hon. member for Wellington South (Mr. Worton)? On the same day he asked:

> Would the minister check to see if he has discontinued enclosing envelopes for the return of the money or sales tax to the government?

It was my understanding, as I expressed on that occasion, there has been no such discontinuance. If the hon. member has a particular instance, I would be glad to get it from him.

Mr. Speaker: The hon. member for Simcoe East.

LEASE PROTECTION FOR OWNERS OF TRAILERS

Mr. G. E. Smith (Simcoe East): Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations: Is the minister aware that some of the trailer park operators in the Province of Ontario, more particularly in my area, cancel the property lease when the trailer which was purchased from the lessor is offered for sale? If he is aware of this, is there anything that can be done to protect the owners of the trailers who purchased them originally from the trailer park operators?

Mr. M. B. Dymond (Ontario): In good faith.

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Does the member mean the lease on the land?

Mr. G. E. Smith: Yes, the lease on the land.

Hon. Mr. Clement: No, I am not aware of that particular problem in the hon. member's area. That practice is not unfamiliar to me. I am not aware of any legislation that would be the sort of legislation dealing with this. It's a matter of private contract between the owner of the trailer, who I presume leases land from a park operator. It's a matter of contract between the two parties and, Mr. Speaker, there is no legis-

lation I am aware of that that would come under.

Mr. Cassidy: A supplementary question, Mr. Speaker: Would the minister make himself aware with the legislation in approximately 18 or 20 American states which is designed to protect trailer owners and residents from the depredations of trailer park operators in the manner the member described? And will he bring legislation into this House in order to protect trailer owners who are under these conditions in this province?

An hon. member: Mobile home owners.

Hon. Mr. Clement: I can't give that undertaking right now, Mr. Speaker. I am aware of a number of states, particularly Michigan, where, mobile home parks I believe they wish to be called, have developed at a great rate and are a very popular form of accommodation.

In certain states they do have state legislation. In others it is a matter of contract between the parties, which must be approved by the municipality which provides the service to the mobile home park operator; it must be approved by the council for that particular municipality.

Mr. Speaker: The hon. member for Windsor-Walkerville had a supplementary.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I wanted to ask of the minister if he is considering the recommendation or the suggestion that I made during the discussions of the establishment of the Housing ministry concerning a bill of rights for mobile home owners that would encompass all of the topics under discussion here this afternoon, plus additional topics not mentioned?

Hon. Mr. Clement: I have not considered a bill of rights per se. I think the proper purview of that type of legislation might well be an additional section to the Short Forms of Leases Act, but I haven't turned my mind to it.

Mr. Lewis: Why is the Premier leaving? After 30 years the government is finally wrong. It is a long time to go without a fatal error.

Hon. Mr. Clement: I am aware of the recommendation that the member for Windsor-Walkerville has made. I have had some very brief discussions with him on it. I have some background of knowledge because of mobile home park developments in my own area, but I will keep it before my mind. I think we discussed it in my estimates last spring.

Mr. F. A. Burr (Sandwich-Riverside): Supplementary, Mr. Speaker: Is the minister not aware that the Treasurer (Mr. White) undertook to bring in legislation in 1974 covering these matters?

Hon. Mr. Clement: No, I am not aware that the Treasurer intended to bring in any legislation to cover these matters between the operator and the owner.

Mr. Burr: Would the minister consult with the Treasurer on this matter please?

Hon. Mr. Clement: Yes.

Mr. Speaker: The hon. member for Rainy River is next.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. Reid: Thank you, I have a question of the superminister of justice policy. I'd like to ask him if he has had a look at the legislation with regard to Bill 274 and if he is satisfied that the civil rights of the teachers are not being abrogated by this legislation.

Hon. Mr. Kerr: Yes, Mr. Speaker. I am satisfied that they are not being abrogated.

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: Mr. Speaker—

Mr. Reid: May I ask, by way of supplementary, had the minister consulted with the legal advisers in his department when he arrived at that opinion, or was it just in reading the bill himself that the minister arrived at that conclusion?

Mr. Deans: He spoke to his wife.

Hon. Mr. Kerr: Well, there has been a great deal of discussion, Mr. Speaker.

Mr. Lewis: I think a great deal of discussion is warranted!

REGULATION OF FUND-RAISING ORGANIZATIONS

Mr. Deans: I have a question of the Minister of Consumer and Commercial Relations.

Is the minister considering legislation which will regulate agencies whose sole purpose it is to promote shows and circuses, using the names of handicapped children's organizations and the like as a means of selling tickets? And is he about to bring in legislation, or will he bring in legislation, setting out clearly the terms and conditions under which those operations can take place in the Province of Ontario?

Hon. Mr. Clement: Mr. Speaker, I am familiar with this practice—and generally speaking I personally deplore it—where the name of a well-known local organization is utilized by a boiler shop operator in an attempt, through sympathy or some other means, to remove dollars from people's pockets presumably for a charitable purpose. At the present time, as the hon. member knows, there is no fraud practised if the operator says that a party is to be held or some gifts are given. Whether anyone attends that party or not really doesn't matter, in the eyes of the promoter.

I think it's in bad taste. I'm not happy with it. We're looking at it right now. I'm somewhat concerned about our jurisdiction. We may be infringing on the Criminal Code in that if it's fraud, if it's straight fraud, then the federal Criminal Code would, of course, prevail. If no party is held, or no prizes or gifts purchased for the children are produced, then a fraud is being practised.

Invariably, these operators are much too smart to go that route. We are considering the matter at the present time. It's something that's seasonal and it happens invariably at this time of the year.

Mr. Deans: Just one supplementary question, Mr. Speaker: Assuming that it isn't fraud, will the minister give an undertaking that there will be some legislation brought in which will set out the terms under which these kinds of operations can proceed or be maintained in the province in order to ensure that people are not gouged by these operators; and secondly, the children are not being abused as the result of the use of their handicaps?

Hon. Mr. Clement: Mr. Speaker, I can't give the undertaking, for obvious reasons, to see that legislation is brought in. I think my hon. friend might be happy if he knew that I would be prepared, and in fact will undertake, to bring to the attention of my colleagues some proposed suggestions along the lines that we're discussing here today for their consideration; and if it's acceptable then produce it here in the House.

Mr. B. Newman: A supplementary, Mr. Speaker.

Mr. Speaker: There's one minute remaining.

Mr. B. Newman: Has the minister looked at Bill 182, a private member's bill that I had introduced, that would regulate and control fund-raising organizations and companies? Would the minister consider it as at least pilot legislation that could have some effect in controlling the practices mentioned by the previous member?

Hon. Mr. Clement: My staff have looked at the bill, I think it's private member's Bill 182. They have looked at it. I have not yet mentioned their comments.

Mr. Speaker: There may be time for one quick question. The hon. member for Kitchener.

GERMAN-CANADIAN BUSINESS ASSOCIATION

Mr. Breithaupt: I have a question of the Minister of Consumer and Commercial Relations. Can the minister advise if he is now in the position to answer that letter that was publicized from the German-Canadian Business and Professional Men's Association?

Hon. Mr. Clement: Yes, Mr. Speaker, that letter is being signed by me today, with a copy going to the hon. member for Kitchener, who has asked the question.

Mr. Speaker: The time for oral questions has now expired.

Petitions.

Mr. B. Newman: Mr. Speaker, I have a petition of l'Association des Enseignants franco-ontariens:

To the Lieutenant Governor and legislative assembly:

Honourable sir and members of the Legislature:

We, the undersigned, do hereby present our humble petition to the assembly on behalf of the members of l'Association des Enseignants franco-ontariens for the redress of a grievance by this hon. House; to wit: The consideration of Bill 274 without adequate consultation with the affected parties.

We humbly request such action by the House as follows: That the legislative assembly request the Minister of Education to withdraw Bill 274.

This is from l'Association des Enseignants franco-ontariens and is signed by Janine Sequin, president; and Gabriel Levasseur, secretary-treasurer.

Mr. Speaker: Presenting reports.

Motions.

Introduction of bills.

SPEAKER'S RULING

Before we proceed with the next order of business, which of course is orders of the day, I should like to deal with a matter that was brought up on Friday last.

The member for Scarborough West tabled a notice, a want of confidence motion purporting to be under standing order No. 87 (i).

I must draw the attention of the House to the fact that standing order 87 is the one dealing with the supply procedure. It provides for the consideration of some estimates by the committee of supply and of others by standing committees to which they may have been referred. Under clauses (g) and (h) it provides for debates on a report of the standing committees; and by clause (i) for debates on not more than three want of confidence motions.

I repeat, the whole standing order No. 87 deals with the supply procedure in the committee and in the House, and as the procedure under that standing order has been completed for this session, the notice cannot now be accepted and I have directed that it not be placed on the notice paper.

Mr. Stokes: What about the budget?

Mr. Speaker: I should point out that the procedure is similar both in the House of Commons of Canada and the House of Commons of the United Kingdom where such motions are included in the days allotted to the consideration of supply. I refer the members to May's Parliamentary Practice, 18th edition, page 279; and I so rule in connection with that notice of motion.

Mr. Deans: If I may, Mr. Speaker, your comment on the ruling—

Mr. Speaker: Does the hon. member wish to challenge the ruling?

Mr. Deans: I don't want to challenge the ruling.

Mr. Speaker: Well then, there can be no debate on the ruling. The provision of the standing order is crystal clear, and there can be no further debate.

Mr. Lewis: It is not crystal clear.

Mr. Speaker: It's perfectly crystal clear to me and I have ruled—

Mr. Deans: Well, may I ask a question?

Mr. Speaker: No, the hon. members may challenge the ruling if they wish.

Interjections by hon. members.

Mr. Speaker: That's quite in accord with the standing orders and practice, parliamentary practice.

Mr. Deans: Did you consider standing order 33 and standing order 34?

Mr. Lewis: On a point of order, which has nothing to do with the ruling as such, I want to know, if I table a motion for the order paper, surely the opposition or anyone in the House should have the right to say why they think it appropriate or in order before it is peremptorily ruled out of order without allowing us to put our positions?

Suppose we feel the interpretation of the rules is wrong? Surely we shouldn't be forced to challenge the Speaker? Surely we should have an opportunity to say why we tabled the motion under that order?

Mr. Stokes: Even before the ruling is made.

Mr. Speaker: I might point out to the hon. members that when the hon. member for Scarborough West indicated to the House his intention of so doing, and in fact sent a document to the Clerk at the table, as soon as the House did adjourn on Friday last I took it upon myself to examine the notice which had been provided to the Clerk and immediately determined, without even reference to the standing orders, that this was under supply.

My reference, then, to the standing orders, verified my original contention to myself that it was in fact under supply and was out of order and therefore could not be placed upon the order paper; it was an out of order item.

Mr. Deans: Well, Mr. Speaker, if I may, before the order is called, I would like to

direct a question to the House leader with regard to House business.

On Friday last we were in the debate on the education bill. On Friday last it was indicated that we would be proceeding with that debate. The order has since been changed. Is it possible for the House leader to tell us which orders of business he intends to proceed with today in order that we can, in all fairness to members of the Legislature and to the government, prepare ourselves adequately to proceed with whatever orders it is that he intends to follow?

Mr. Breithaupt: There are only two.

Hon. Mr. Winkler: Mr. Speaker, I don't want to contravene your ruling, but if the hon. member will examine precisely what I said at the closing of the House on Friday, it was that the members should prepare themselves for any order left standing on the paper.

Mr. Lewis: Mr. Speaker, the House leader is also definitively recorded in Hansard as saying that the budget debate would be the last item to be dealt with in the session.

Hon. Mr. Winkler: On Friday morning—

Mr. Lewis: No, not on Friday morning. Days earlier, at 10.30 one evening, he indicated the budget would be the last item called. Now why are we not able to continue debating the legislation which is before us? Why has he suddenly and arbitrarily changed the business of the House which he had given? Or is it that the Minister of Education and the Premier are now off to meet with the OTF? What is happening? Why can't the House be filled in?

Hon. Mr. Winkler: That has nothing to do with it, Mr. Speaker. I ordered the business on Friday.

Mr. Renwick: He left his options open on Friday, and he gave us no notice.

Mr. Speaker: Orders of the day.

Clerk of the House: The second order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, it seems rather odd that we should now be bringing back the budget debate two or three days before Christmas when the budget was brought down last April. But considering what is going on today, perhaps in some back room of this building with the Premier (Mr. Davis), the Minister of Education (Mr. Wells), and I am sure representatives of the Ontario Teachers' Federation, the order of business may be changed momentarily—I would imagine it might even be changed quickly—and we may have some major changes and reversals by this government.

They know now that their legislation was brought in hastily, since the Minister of Energy (Mr. McKeough), speaking to a group of teachers in Chatham on Saturday, said that he himself classified teachers with police and they were not to be allowed the right to strike, but he thought the government over-reacted and acted too hastily in this case.

I don't know where he is today; he is not here. I'm quite sure he is not down in Cedar Springs at his home in the riding of Essex-Kent. I think he has probably gone to see about some energy, maybe to see how the water is flowing over Niagara Falls, but I don't see him around.

Governments at times seem to get themselves into certain conditions that may be their own downfall, and when one looks at some of the happenings of this government in the last year or so since the present Premier took over, one can see that some of its mistakes are adding up pretty fast.

We can look back and see what happened, I suppose, in Ottawa in 1957 when the Minister of Finance, Mr. Harris, came out with a budget that wasn't understandable by most of the people and was quite arrogant. The government had been in power for 25 years, and although it is the party that I support now, it proved it was not capable of adhering to what the people wanted and in the next election was turfed out.

This government here has made a number of mistakes in the last year. We can think of the Fidinam affair, when a $50,000 donation was made by a Swiss company to the Conservative Party and then it received a contract to build a new building on the corner of Yonge and Bloor streets. Then we have the Hydro building that is being built within a stone's throw of this building, and no doubt that was one of the fiascos of the Davis regime in giving a tender to a company without competition. We also have the Arnprior dam, which has just come to light

in the last month or two, and for which the builder has been found to have received a contract without tendering about the time the Hydro select committee was meeting on this Hydro head office building.

So, Mr. Speaker, it shows you that when a leader doesn't have the statemanship that the former Premier of Ontario had – the previous member for London North, Mr. Robarts – this Premier seems to kind of flounder around with maybe too many advisers from the back room. I think what it is, is that he has too many advisers in his political spectrum. He doesn't really get out and find out what the people are thinking. He has too many so-called advisers.

We even saw it, of course, with the Prime Minister of Canada in the last four years, where perhaps he has surrounded himself with what I sometimes classify them as egg-heads, or overly educated people, who have great ideas in theory but sometimes they don't work out very well back in the boondocks, as I call it. I think this is what this Premier is doing.

Another of the happenings in the last few months had the Attorney General (Mr. Bales) involved in a land deal out in Pickering. He didn't resign and yet he said: "Well, if I sell I'll give the money to some fine organization that needs help, a benevolent association." Well, what a bunch of hogwash—a benevolent association! Imagine an Attorney General of Ontario coming out with that.

At least the member from my riding area who was involved slightly—and I don't know just how much it involved—had the gumption to resign his position and I'll give him credit for that. Although he is back in the cabinet, at least he had the gumption to resign when there was any conflict of interest, and I'm glad that he did that. It makes me feel a little better, especially when he comes from my area.

Mr. W. Ferrier (Cochrane South): He comes from the member's constituency.

Mr. Ruston: Well I'm sure he doesn't support me. He wrote me a letter in 1967 when I was first elected, if I may just disgress, and said he would be happy to assist me if he could any time. I suppose he meant to assist to get me out. However, he's been a good constituent of mine. He hasn't given me any trouble, let's put it that way.

Mr. D. A. Paterson (Essex South): The member hasn't had to get him out of jail.

Mr. Ruston: With the regard to the sales tax, and I suppose when we are talking budget we should really talk about sales tax as something in the budget, I guess no one will forget about the increase to seven per cent in the sales tax, which meant a 40 per cent increase in the tax. There was the proposed energy tax which was included in the bill and the famous weekend when the member for Hamilton Mountain (Mr. J. R. Smith) voted with the opposition on first reading of the bill.

Apparently it was the first time first reading of a bill had been opposed. I think of 274 bills proposed in this Legislature in this session; two of them were opposed on first reading. So 272 went through for perusal later on.

In the sales tax increase we have a regressive tax in more ways than one. Of course, we have the federal sales tax.

I was getting a price the other day on re-insulating the attic of my house, which now has 3 ins. I have read many advertisements which say there should be 6 ins or 8 ins of insulation for better heating facilities. I asked the price of the insulation material and it was going to cost about $100 for the material with, of course, extra for putting it in.

He said: "There is 12 per cent federal sales tax on that and seven per cent sales tax on top of that." He said that if one takes the manufacturer's price of an article, $100, and puts the 12 per cent sales tax it brings it up to $112. Then the retailer or dealer selling it has to have a markup and even giving him a small markup in some cases, let's say, $40, that brings it up to $152. Then there is the seven per cent provincial sales tax on that. If one adds that up there is $12 federal sales tax, $10.64 provincial sales tax on $22.64 on a $100 article; 22½ per cent tax on a $100 article.

If that isn't a regressive tax on the necessities of life, I don't know what is. We're definitely going to have to look at a new tax structure to protect those people on low incomes.

I condemn this government very strongly, too, with regard to the Ministry of the Environment. Since this minister (Mr. Auld) took over about a year ago I think that department has really slipped back. We can all remember the day the former Minister of the Environment (Mr. Kerr) got up, banged his desk and said: "The polluter would pay." He's sitting in the House now and I give him credit for that daring speech that day.

It sounded pretty good. I really think that since he left the department has gone back.

If one contacts the present Minister of the Environment about something in the department he doesn't seem to know what's going on; he's all bogged down. The Ontario Water Resources Commission, of course, has been folded in with the department as part of the ministry.

I look over some of the areas in my municipality and I'm sure they are not being discriminated against; in fact, I certainly would hope they are not. The town of Bell River made an application for a sewage system in 1968 and there was a hearing. The treatment plant would be out in the adjoining township so it was mandatory to have a hearing there. That was in 1968 and they haven't put a shovel in the ground yet.

I sometimes wonder how an agency of the government can get itself so bogged down in red tape and so forth. I know for a while it was hedging on it because of financial arrangements, but I understand now that Central Mortgage and Housing, which does do some of the financing for provincial sewage work, has come along with a fair amount of money to assist in this. I think the length of time it takes to get approvals on these projects is a real shame.

It seems to me if one hires a qualified engineer in the area, tells him to bring in a survey and a report on what that village or town needs and he submits the plans—we'll say there are a couple of engineers, because we want to have a comparison and so forth, I'm quite satisfied the first one would know more about it than the one it's handed to if he is not in the field or in that area. We have someone else have a look at it. Why it should have to take two or three years to get any of these things going is unbelievable?

We have the same thing in the village of Wheatley where they've been hassling, with the Ministry of the Environment and the Ministry of Natural Resources, over a place to put a treatment facility.

Mr. Paterson: For two years.

Mr. Ruston: One was trying to buy a few acres of land or 300 acres of parkland in Wheatley and they wanted to get one little corner to use for treatment facilities. Natural Resources just wouldn't give it up. So they have gone out now looking for another area. Three years have gone by the wayside while the people in the area waited.

A person with a private lot will ask the Kent county health unit for a septic tank permit. They will come out and look at it and say: "There might be a house next door with a septic tank and weeping bed. We had better have the Ministry of the Environment come out and inspect it." They will send someone down from London or Toronto. He will take a steel pipe and pound it down into the ground about a foot or two and pour a pail of water into it. He will come back in an hour or two, and if that's gone, he will say: "That won't work. It doesn't percolate. We can't allow a septic tank in there."

Many of them work if they are put in properly, and I am sure they would still work if they were put in properly. This is holding up many building lots that have been surveyed and have been sitting there for years, and now people are willing to build on them. It causes a shortage of lots throughout the area and forces the price of them up.

In some of these areas, three or four years ago lots were a couple of thousand dollars, but now are as high as $8,000. These are in what we classify as low-priced areas where the land has not been that high. The real problem and the reason for it is the holdup in issuing permits and the holdups and delays in putting in sewage systems.

Mr. Speaker, there are many areas a person can talk on today in this wide-ranging budget. I think of the grant system the government has for municipalities throughout the province. They keep increasing the grants to the new regional municipalities as they are formed. Every time a new one is formed, a year later they have to throw in another $500,000 or $1 million to assist that municipality, because their taxes keep going up under the new plan and new system. I don't see why they cannot give similar grants, if they are going to give to them, to areas that have not been formed into regional municipalities.

I think of areas like Essex county, that has been operating very efficiently. The county system runs the health and welfare under the welfare administrator. The counties have taken over all the administration of that type of project.

In fact, Essex county was one of the first counties to take over county assessment, until the government took it over. Since the government has taken it over, of course, it has gone up five times. The county took over welfare administration many years ago, when I myself was in the county council, and I thought that was a great step forward.

The county health unit now works in conjunction with the city of Windsor. We have

a complete system where the one unit covers 325,000 people. That was formed years ago. It was called the Windsor and Metro-Essex County Health Unit.

We are ahead of the government in many areas in Essex county. It seems to me our municipality should be entitled to the same grants as these regional municipalities, because we are operating the same type of services through our county by agreement.

One of our lawyers told us this one time in the township. He was our solicitor and a very capable municipal lawyer. He was president of the Progressive Conservative association in my riding in the year I was elected, but he resigned when he saw a good member being elected. He always told me that if one municipality can do certain things you don't need new legislation for two municipalities to do the same thing. All you need is an agreement of minds.

This is what we did in many areas. We would sometimes take three municipalities together and put in a new water main. We have 20 miles or more of water mains in Essex county and all by agreement of the municipalities. They saw that this was the most economical way to do it and got together.

In Essex county we have a water treatment plant that the OWRC built in 1957; at that time a Mr. William Conklin was one of the members of the OWRC and a wonderful job he did. I just wish that he was in that area now to look after things, because Mr. Conklin was one of the better members of the board. He was very conscious of the need of the area and what they needed. It is too bad that we don't have a bit of foresight in that ministry; there is a great deal of room for improvement in the whole Ministry of the Environment which took over the OWRC.

At the same time that was built of course, we had Mr. Murdoch as the member of the Legislature; he was replaced by the present hon. member for Essex South, Mr. Speaker. He too, I'm sure, played a very active role in seeing that these facilities were put in there. So our county has been far ahead of many counties for a number of years now on putting in utilities jointly with a number of municipalities.

Another area of concern was mentioned when we discussed the famous bill the Premier introduced this year to give the old age pensioners on general assistance an extra $50 at Christmas-time. It is that there are still great needs on the part of people of the ages of 55 to 65 who are unable to work. People who maybe have had jobs and then got partially disabled and are now unable to work.

I know of a number of people who have had to live on $130. I received notice of one person the other day who was having considerable trouble. The department finally sent me a letter through saying now the person was eligible for $133. This was a lady living by herself in a small home—$133. It's really shameful that this person, 62 or 63 years old, should have to live on that amount of money in a country as well off as Canada—in the Province of Ontario especially, the richest province in Canada. This government should be ashamed of itself to allow this type of thing.

I should, I suppose, mention an item or two with regards to farming, Mr. Speaker. But however, since we have the new Minister of Agriculture at Ottawa I suppose he seems to be championing the farmers and I don't think there's—

An hon. member: But he doesn't talk to the provincial ministers.

Mr. Ruston: —much to add to what he has said in a number of places. I understand that he was speaking in the riding of Spadina a week ago Friday night and told all the people in Spadina what they could expect from farming in the future. I guess there are no farms in Spadina riding, but I think this is something. The Ministers of Agriculture should be speaking in the cities instead of in the country all the time. I think it is a good point. I think the minister here (Mr. Stewart) would agree with me, maybe, that he should be out a little more speaking in the city ridings and telling the people what to expect and what they are going to have to expect in the future.

The day of trying to produce eggs at 25 cents a dozen and losing one's farm and assets while furnishing cheap food just can't be tolerated any more.

Hon. G. A. Kerr (Provincial Secretary for Justice): They should leave that to that old sophisticate, Gene Whelan. Eugene goes into the cities.

Mr. M. Gaunt (Huron-Bruce): He's a great guy.

Mr. Ruston: He's a great guy. I saw him Friday night. He is a great fellow, a great fellow.

Anyway, I think to ensure production of farm commodities in the coming years, stabilization is something we are going to have to achieve. Of course, it is something that the federal government is undertaking now. We hope that this will be some guarantee that in the event we get a surplus of foodstuffs throughout the world which pounds the price down, we'd have a stabilization fund to assist us.

In the past I think it has been the average over 10 years, and 80 per cent of that average over the past 10 years—heaven help us, we couldn't stand that. If anything happened next year or the year after and we had to accept 80 per cent of the average of the previous 10 years' price, that wouldn't keep the farmer's head above water at all. So that will have to be toned down. I think one recommendation now is that it be over a period of the past three years.

This is something that is really going to have to be looked at, with the amount of people who are getting out of farming, particularly dairy farming. As the minister well knows, we see it in many parts of Ontario, not just in Essex and Kent counties, where some people have said previously that maybe we should be growing just cash crops. I am not sure that maybe we should, but we had a lot of trouble when the milk board was formed, with quotas and so forth. I think the minister will recall some of the meetings we had at that time trying to get some of the things ironed out, and that many people gave up the dairy business at that time.

Since then it has been dropping off. I think in 1959 there were 1,200 dairy herds in Essex county and now there are 160. The herds there now are larger than the herds were at that time, but they are not as large as to make up the difference, and the total dairy cattle number is down in Essex county considerably. In Kent county I think there are 47 dairy shippers in the whole county.

A neighbour who is a retired farmer came over to me one day and said 22 different farmers had their milk quotas up for sale in one week; I think that was last spring. That just shows the number who are getting out. It's hard work and long hours, and the price is going to have to be enough that the farmer can get into a herd large enough to be a two- or three-man operation. In that way at least he can share his workload on weekends or if he wants to get away for a week.

It looks as if that is the only way. I think, for the future, one man running a dairy farm all by himself is out. That kept him tied down seven days a week, 365 days a year. It is just not the thing any more, especially when people go into a shop and make some $10,000 or $12,000 a year on a 40- or 44-hour week.

That is an area of concern to many people; and it should be an area of concern, because I am sure we are all concerned that we will have ample foodstuffs in our country in the years to come.

I am concerned about our cities. I suppose when you don't have cities in a riding you don't have to be, but I am. I spoke in this House about five years ago about some of the things that were happening in New York City. Whole areas of blocks and blocks of the city were being torn down, people were moving out to the suburbs and so forth and leaving them to deteriorate, and the crime in the streets was terrible in some of those areas.

We have the same thing in the city of Detroit. I was there a few weeks ago on a Sunday afternoon at the Olympia, and there are blocks and blocks of buildings with the windows out. Some places are torn down, but many are just standing there. They represent acres and acres of lost taxes and assessment to a city that was once a very proud city and now seems to be deteriorating. I think there have been 723 murders in the city of Detroit so far this year—six last Friday night.

One wonders where our society is going in some of the large cities. I think when I was speaking about our cities, that I said they were getting so large that people were losing interest in them. You can just see that here.

At that time, I think I said that what happened in the United States generally happened in Canada from 10 to 15 years later. Today we see in the Toronto Sun where a Dr. Stephen Kiraly was beaten by three people right on Bloor St., and couldn't get anyone to help him. You just wonder. I am sure that wouldn't happen in a small city or town. I was in about three different towns in my riding this weekend and everybody lives a different life; they are contented.

Mr. Paterson: They don't lock their doors at night either.

Mr. Ruston: Yes, they don't have to lock their doors at night.

Interjections by hon. members.

Mr. Ruston: Mr. Speaker, that goes back, of course, to the Minister of the Environment wandering around and not doing any-

thing about sewage disposal systems in all these small cities and towns. If he were to get plans for these areas so that they could be developed with services, we could have many people living in those areas. There is lots of room there without getting into important farmland. People would have a little happier life there.

But I think cities have found when they get over a million in population that above a million to a million and a half they create real problems. I can't see why we shouldn't have larger cities in North Bay and Peterborough and places like that. Urge industry to go there even if we have to give it a special tax allowance, or charge companies more if they come into the city of Toronto. Maybe that is the answer, so that they go into some of these other areas.

Mr. Paterson: Adjust the trucking rates.

Mr. Ruston: Adjust the trucking rates; definitely. Mile-for-mile haulage, wherever it goes. That would even off trucking rates and encourage industry to get into those other areas.

Then we would have diversified industry, instead of letting them build around the "Golden Horseshoe." I don't care what the government does in this area, but it should not have additional traffic in the downtown area.

After I came in this morning by airplane, I left the airport at a quarter-to-eight. The bus driver got a message on his two-way radio not to take the Queen Elizabeth Way —it was blocked up. So we came in on the Queensway, I think it was. And then we came along the Gardiner Expressway, but it was also blocked up, so we went off the Gardiner Expressway and down on to Front—

An hon. member: Lake Shore!

Mr. Ruston: Lake Shore Boulevard!

As long as we continue building in this "Horseshoe" area, we are not going to solve the transportation problem—even with the government's new monorail system, or anything. The government can possibly consolidate what there is, but if it keeps growing it will never be able to really make travelling downtown feasible.

Look at the downtown Toronto area where there are four 60-storey buildings in a four-block area. There are 25,000 people coming in and out of there in a day. And they come out within an hour or two. How do you handle them? They might work a midnight shift and an afternoon shift and a day shift —but I don't think you'll find people will do that in office work. I've worked the midnight shift and so forth, but it's not a shift you want to work all the time. That is one way to handle the traffic conditions in the cities, but I don't think it's really the answer to it.

These are some of the things that concern me, Mr. Speaker, and I think maybe that will cover all the remarks I have right now.

Mr. Speaker: The hon. member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Mr. Speaker, I was wondering; the last speaker was talking, and saying that the hon. Minister of Agriculture and Food should get into the cities and make some speeches there, then he made the suggestion that there were some very real problems in the city; I'm wondering if the Minister of Agriculture and Food could solve them?

Interjections by hon. members.

Mr. Ferrier: Maybe he's got enough problems of his own without having to solve the problems of the city.

An hon. member: The minister is looking after the farmland.

Hon. Mr. Kerr: He said he could.

Mr. Ferrier: There are a number of things I want to speak about. One of the things that aggravates me—and I think that Mr. Speaker and some others had better take a pretty good look at it and try to improve it—and that is the waste of time that goes in these chambers waiting for votes. Now, this morning we waited for over an hour to hold a vote.

Interjections by hon. members.

Mr. R. G. Hodgson (Victoria-Haliburton): Blame it on the NDP!

Mr. Ferrier: It has gone on and gone on and gone on. I think it's got to be brought to a head. And if the Camp committee report comes in, there should be some solution found to this long waste of time.

Hon. Mr. Kerr: We should have been out of here last week.

Mr. Ferrier: I don't think anybody has the prerogative of being at fault here. I think all three parties share some of the responsibility.

I think in the last few years the business of the House has sort of floundered around;

and at times we don't know what's coming up next.

An hon. member: That's not unusual.

Mr. Ferrier: Even the Budget debate that we're having today is an example—although I realize that the government has a real crisis. I don't want the hon. member for Victoria-Haliburton to go away, because I want to say something about him.

Mr. R. G. Hodgson: I'll be back.

An hon. member: Something nice?

Mr. Ferrier: Maybe he's going away because he's embarrassed by what I'm going to say.

Some years ago, we used to get a fairly good idea of what we could expect in this House; and the business seemed to go in a pretty orderly fashion. I did some investigation and I found out that the hon. member for Victoria-Haliburton was the one who was getting things organized in this House. And since the Camp commission suggested in its report that there should be a House leader with sole responsibility for ordering the House in conjunction with the other two parties, I would like to recommend to the Premier that he could do no better in his own party than to elevate the member for Victoria-Haliburton to the cabinet with this responsibility—

An hon. member: That might not be an elevation.

Mr. F. Laughren (Nickel Belt): He can do no worse.

Mr. Ferrier: His past experience has been very good, and I think that this could be a more tolerable place if he were elevated to that position.

Mr. Laughren: The member for Victoria-Haliburton shouldn't get sucked in. My friend is sowing the seeds of discontent within the Tory cabinet; that's what he is doing.

An hon. member: Oh, no, he's a great fellow.

Mr. Laughren: The Trojan horse.

Mr. Ferrier: One of the things that particularly concerns me at this time is an action by the federal government, which took place around Oct. 10, when the federal Minister of National Defence announced that they were closing three radar bases in the Province of Ontario, two of them in northern Ontario. That shows how concerned the Liberals are for northern communities.

Mr. Laughren: Provincial and federal.

Mr. Ferrier: The communities in the north, Armstrong and Ramore, depend very heavily upon the work provided by the National Defence installations there, and it's going to be a tremendous blow to them.

I admit the federal government has to oversee the whole programme, and it's perfectly reasonable that certain installations perhaps become not required, but the point is that when a group of us met with the Minister of National Defence, he was asked if he had considered the social and the economic impact on the communities, the dislocation this was going to cause them in terms of the loss of jobs because people had lived in those communities all their lives and might not want to move to other installations where jobs might be available. He admitted that they hadn't really looked at this very seriously, that they would take a further look and make another report. Well, they took a month or two to consider their decision—I don't know really how much they delved into it—and they came up with the same conclusion, that they were going to close those radar bases.

It seems to me that if the federal government is going to take an action that will inflict a very serious blow on a small community, surely there should be some major consultation with other departments of government and with the provincial government to try to find some alternative uses for the particular facility that is there, or to try to find some other means of bringing economic activity into that particular area, so that the people do not lose their jobs if there is something else they can work at, so that the businesses there don't suffer the dislocation that they will, and so that there is not a mass exodus of residents, as is going to take place as the armed forces personnel move out of there. But the federal government didn't do that.

As soon as the announcement was made, I, along with my colleague from Thunder Bay (Mr. Stokes), brought this matter to the attention of the Premier, the Minister of Industry and Tourism (Mr. Bennett) and the Minister of Natural Resources (Mr. Bernier). I must say that the Minister of Industry and Tourism had a task force from his ministry and several other ministries go up and view the facilities and try to find out what was there with a view to the provincial government perhaps getting involved and trying to find something or co-ordinating some project.

There has been some discussion that perhaps a sports training centre could be located there, since dormitory and kitchen facilities already exist and there is the possibility of an auditorium and gymnasium being built. It could be an ideal place for the training of athletes and coaches, particularly when we are looking ahead to the Olympics in 1976.

There is a group in the northeast that is looking at this and trying to co-ordinate something along this line. I commend them for it.

I would like to say to the minister and to the provincial government we would hope it would move in and fill the vacuum the federal government has apparently left by not providing any alternatives for those facilities, and to try to keep that community from suffering such a serious blow. In the whole area of Ramore, Holtyre and Matheson I think there is a number of things which might be established. If it couldn't be this sports complex surely the government could find a use for that facility in the health field or some other field and make it serve the province, serve the northeast and provide jobs for those people.

I can't say strongly enough how I feel about this matter. In dealing with ministers at the two different levels I must say it's a much more co-operative and concerned group of people one deals with when dealing with the ministers of this province than when dealing with the federal people.

There are a few things in the health field which particularly concern me and my whole area. There's been quite a bit of discussion about forming a health council in the Cochrane area to comprise Cochrane North and Cochrane South and perhaps, although this is not likely, the Timiskaming area. There have been meetings of the various people, hospital administrators, public health officials and hospital directors to try to bring this about. From the indications I have had I think they are going to be in a position fairly soon to recommend to the Minister of Health (Mr. Potter) that this council be formed.

I would say this is a very crucial matter to our whole area as far as health and the health delivery system are concerned, because there is a number of major problems which we're still confronting and we haven't solved.

I didn't realize the distinction between extended care and chronic care. I felt when we got a nursing home in the city of Timmins our chronic patients would be looked after, but it wasn't long after the nursing home was open that I found out the chronic patients cannot or will not, in many cases, be admitted into the nursing home. It means the only facilities in the area are in the senior citizens' home where there are more chronics than anywhere else.

This is a real major gap in our health delivery system, particularly as far as Timmins is concerned. But it's not just Timmins; I would suggest it's the whole of the northeast. There may be a chronic care facility at Haileybury; other than that I do not know where it is. I think this is one of the problems the health council must come to grips with, to see if there is some way of reorganizing the system and making some beds available for chronic care in the short-term, and planning ahead for chronic beds in the long-term.

My own impression, although I may be proved wrong, is that there needs to be a significant addition to St. Mary's General Hospital in Timmins. I think they need more space. They need more beds. They need a larger emergency area; and this is another situation to which a health council must direct itself.

We're still bothered with the problem of the northeastern regional mental health centre not being utilized to its full capacity. In southern Ontario hospitals the problems usually are of overcrowding and not being able to find places for patients. Up our way the problem is underutilization. I have discussed this matter with various Ministers of Health and with the parliamentary assistant (Mr. Miller). He certainly showed his concern and interest, but I am not so sure that very much has developed even in the last year.

I think more money has to be made available for that hospital to allow them to utilize the hospital to its full potential. When it is a matter of a hospital down here in the south, at Kingston or London or some place else needing funds, they don't seem to have any problem. When it is us in the north, we just get the short end of the stick. It happens in so many instances that the feelings of being neglected in the north are real and very bothersome. It keeps us from getting the kind of response and the kind of delivery of services that we expect and should have.

I think the Ministry of Health had better take another look at us in the north and begin to see that this hospital is properly funded and fully utilized. The potential there is great and the need is great. It could make a much greater contribution than it is doing now. I pay tribute to that hospital and all those who work there, as they are doing a

good job, but give them the money and they would do a much better job.

Another thing that concerns me in the health field is the delay we are seeing in the introduction of some kind of dental programme.

I remember before the 1971 election meeting a post-graduate class down at the dental school. We discussed the whole area of dental care, a dental delivery system, and the prospects of implementing some kind of a dental care programme in Ontario. I was asked to speak to the graduating class last year and answer questions.

This was very uppermost in their concern. Away back in those days, three or four years ago, the dental association had gone to the Minister of Health and said: "Look, we are prepared to enter into a scheme whereby we will take the children at one particular age, whether at five or six, or whatever it might be, and provide dental treatment for them. We will go on going a year up, next year to take the sixes; so that eventually we will reach the age of 18 and will have a universal dental care programme."

When one considers the number of people that are not served by dental care, the number of cavities that develop and the number of young people that are losing their teeth, it is very important that we press on with a dental care programme in this province. I think the whole idea of putting things off to tomorrow and tomorrow and tomorrow is just no good. As somebody said, and I forget who it was, in one of the pieces of literature that I read: "The rule is, jam tomorrow and jam yesterday, but never jam today." It seems that this is the way we are getting on with our dental delivery programme in Toronto.

The need is there, and it is throughout all the province. The government has half responded by saying: "Yes, we are going to do this. It is under study now." But they are not doing it. In the meantime, particularly for children, this problem is staying on and it is not being rectified.

Mr. Laughren: Indefensible.

Mr. Ferrier: It is indefensible. It is almost criminal not to come on and meet this very pressing need. I don't know whether they are holding this for an election announcement or what it is. One becomes very cynical around this place. The only time things are done is when an election is coming up, when they can announce something on the eve of the election.

The last time we kept pressing for premium-free coverage in OHIP for old age pensioners and we got a real line strung to us by the government. Then, the day the election was called, it brought that in. That's how we have to wait for these things, and the government doesn't seem to consider how people are being hurt in the interval.

Mr. J. E. Stokes (Thunder Bay): To which cabinet minister is the member talking?

Mr. Ferrier: I know that none of the cabinet is here.

An hon. member: Yes, there is.

Mr. Ferrier: Here is one now. Here is the one who is interested in the cities.

Mr. Laughren: He does enough damage on the farms. He's kept them down; think what he would do to the cities. Imagine the whole city shut down.

Mr. Ferrier: There is another problem in the health field which particularly concerns me, and I have had it brought home to me, although there are lots of people worse off than I am. I happened to have quite a bit of sickness in my family this last fall and the need for prescription drugs was pretty pressing. We were getting antibiotics filled two or three times every week, it appeared, and other kinds of drugs, and the cost was pretty high.

I'm thankful we had the drugs, and I was able to pay for them. They did the job, my children and wife responded well to the treatment. But when one considers the cost of these prescription drugs for people not in the favoured position of a member of Parliament, it takes a pretty heavy bite out of their income. This is particularly so for our senior citizens and for low income earners.

I tell you, Mr. Speaker, it's a very serious problem. Back in 1971 this party detailed how it could be implemented under our health care plan, our hospital insurance plan, and it was entirely within the realm of our ability to fund it. We put forward the way of raising the extra money, and it would have provided a saving for large numbers of our citizens and would have helped them with this very expensive item, which so many have to face up to and pay for.

Yes the government is not responding to this pressing need within our society, and I'm very disappointed that this government has not responded. The programmes it has come in with have not done the job one hoped would be done. As I say, there are a

lot of lower income people and other people, some of them on pensions, who don't qualify for assistance through the welfare department and who are really being hurt heavily by the high cost of prescription drugs. I would make another appeal to this government to do something about that score.

Not too long ago we debated the provisions of the $50, one-shot deal, for our senior citizens; and at that point, because it wasn't in the bill—or we didn't debate it fully enough I suppose—we didn't debate the whole question of those on family benefits, mothers' allowance and this kind of thing. They are not getting the same amount as the old age pensioners from the amounts this provincial government is making available for them. It makes one wonder how much the government really does care about people when it is leaving them at those levels.

I know we are told there is going to be a statement come in soon on that but there are a great many people on disabled pensions and mothers' allowance who need this. Old age assistance, I think they call it, is provided to salve the people who are getting the $50 supplement to their old age pension. Those others are not getting it, and it caused a great deal of grievance and upset among them. I think the problem is not, as I said before, to give $50 once at Christmas; but it's to bring up their levels all through the year.

Now as I listened to you this morning, Mr. Speaker, making a point that we shouldn't be concerned about people just at Christmas, that we should be concerned about them 12 months of the year, I couldn't help but think that if you could persuade your colleagues in the government party to adopt that programme as far as assistance to our senior citizens is concerned, that that principle you enunciated this morning would have a good deal of relevance and could be embodied here in our life in Ontario.

I was going to rip the government pretty handily about the housing problem in my riding; but this morning I got a report on my desk that the hon. Minister of Housing (Mr. Welch) has stated that Ontario Housing Corp. is recommending to council in Timmins that they build 136 family units and 230 more senior citizen units, which would be a real help in alleviating the very acute housing situation and crisis that exists in our community.

I hope council will act on this favourably and that we can get ahead with these projects and get them completed; not two or three year hence, as sometimes happens, but get them done within the next year—because the need is there, it is very critical.

And there may even be some houses that are now there that might be on the way out, because of a developer or something. So I hope that the Minister of Housing will keep a close eye on this for us and see that that project goes through. I'm also concerned about the project in the town of Matheson; that the work will get under way soon and it can be completed for this spring.

Up in my riding in September, the Resources Development policy committee had their meeting, and I think it was a very good meeting. But one of the things I felt wasn't too well handled by the minister concerned, the Minister of Industry and Tourism, was the creation of the natural resources science centre.

Now the Chamber of Commerce and various groups in Timmins have suggested to the ministry and the previous minister that the government should be thinking of developing a natural resources science centre in the city of Timmins, showing the forest products industry and the mining industry and the generation of hydro power in a simulated form. There is a chairman of the committee and a committee working on it.

The chairman of the committee came before that resources policy committee and he made the proposals again; and my golly the way that the Minister of Industry and Tourism dealt with him—did he ever slap him around there. I thought that was a pretty shabby way to treat the president of the local Conservative association. I was so annoyed I was almost moved to get up and defend him.

I thought the minister could have been much more positive and tactful in the way he dealt with that issue because I think it's a very worthwhile project that has been suggested. We look to local people to come up with good ideas and put forward things that would fit into our community and provide some industry, some tourist potential for an area.

The local people did so in this instance, and have a very good idea here. I think the minister should co-operate and make funds available for the study they are requesting. Let's get on and let's get it done, rather than having the kind of tactless speech that he gave to the particular person concerned.

There's a lot of interest now, and it appears that the government is finally going to do something about the road to link up the Timmins area with Smooth Rock Falls. That

proposal was first brought forward something like 25 years ago by Bill Grummett, who was a CCF member in this House. He was one of two, I believe, who represented the CCF; and I think this was one of his ideas in 1951. He was a good member and he pushed for a road from Sudbury through to Highway 101 and then on up to Smooth Rock Falls.

A debate is going on now about which route to take, whether on the west or the east side of Timmins. I think we had better get that study completed and let's get on with the job. It's a very worthwhile road. It will open up a whole area. It will cut down a lot of travel and it will facilitate the wood products industries there. It might lead to more exploration and, let's hope, some development of more of the mining potential in that area.

I know the energy question is one that's uppermost in most people's minds today, other than the education situation in the province. We are still concerned that something develop around the lignite deposits in Onakawana. This was the big promise the Premier made before the last election. This was what he was going to do in the northeast; he was going to develop those lignite deposits. The study is still going on and they are suggesting that they might start it in 1976.

I wonder how many elections a thing like that will last for a Premier. I think if he is going to do anything about it he had better do it before 1975, because certainly he is going to need all the help he can get this time around.

Mr. Stokes: He should be doing it right now.

Mr. Ferrier: But the question is—as my colleague from Thunder Bay says, and as I said in the estimates of the Ministry of Natural Resources—we shouldn't be farming out this project to Manalta Coal Co., we should be doing it ourselves through Ontario Hydro. The whole project should be an Ontario Hydro project rather than leasing it out to a private firm as we propose to do. That is something that should be changed. It should all be under a Crown corporation and run that way.

This project could provide a number of permanent jobs and it could provide a great many construction jobs in the construction stage. I think it would add a great deal to the power situation here in the province and it would help the employment situation. It would utilize a source of fuel that now is sitting in the ground and has sat there and has been identified since 1871.

I would say this is one project I would like to see the government get on with, but get on with by itself and revoke that contract or whatever it calls the deal it has made with Manalta Coal Co.

This morning I had a talk with the Minister of Consumer and Commercial Relations (Mr. Clement) about a land titles office in the Timmins area. He assured me his ministry had made a pretty extensive study of this whole problem and that a report would be coming in the not-too-distant future. He said he would see whether it would be possible to have a land titles office in Timmins. So we will await that announcement with a good deal of interest.

Mr. P. D. Lawlor (Lakeshore): Well, he would have to build all of them in the province. It's a mess.

Mr. Ferrier: Well, it could very well be. The member for Lakeshore would know more about it than I would.

Mr. Lawlor: We have to live with it.

Mr. Ferrier: One thing that the government hasn't done, which they suggested they were going to do with a lot of fanfare when they announced their Algonquin Park policy in the summer, is to go ahead with the setting up of the Crown corporation to cut timber in Algonquin Park. Then it was pointed out that the former Premier, who they were suggesting would head up this Crown corporation, could very well be in a conflict of interest position, and they backed away from it. We have seen nothing in regard to the Crown corporation or any of the legislation surrounding it. We still feel it is an error to perpetuate logging in Algonquin Park, and it must be phased out.

We have been through a long session and it has been a session of crisis. It started with a bill on compulsory arbitration with the elevator maintenance people, and now we are finishing, as my colleague from Windsor West (Mr. Bounsall) said the other day, on another compulsory arbitration bill. We've seen the Hydro situation. We've seen the end of the Fidinam affair. It appears that the government is stumbling into just one crisis after the other.

It looks to me as if 30 years are just a little bit too many and time is catching up to them.

My leader (Mr. Lewis) a year or so ago put forward the idea this government isn't fit to govern and that it is losing its hold and cannot give leadership and the sense of direction that we need in the Seventies. This government has failed badly and the time has come where we have to have a change. If this government persists in the policies that they have tried to ram through in the last three or four days, this will be one of the major things that will bring them down in 1975.

Mr. Speaker: The hon. member for Hamilton Mountain.

Mr. J. R. Smith (Hamilton Mountain): Mr. Speaker, in my opening remarks I'd just like to pay a few words of compliment to you, sir, and to your staff for the way in which you preside as Speaker of this House, which I know it is not an easy task at times.

I'd also like to pay a word of compliment to many of the pages that have served in this House during this past session. I think they, in themselves, have worked extremely hard. I am most encouraged that during the past few years you have seen fit to expand the opportunities for young people wishing to serve as pages so that they now come from various parts of the province, and also that young ladies have been added to the role.

I'd like to suggest, Mr. Speaker, perhaps in the year to come, some provision might be made, either through a discretionary fund or discretionary scholarship programme through your office, for young people from more distant parts of the province who are not from a family background that is financially able to provide for accommodation and the extra expense incurred by people living in this very large and expensive city to be able to apply through your office for the privilege and opportunity of serving as pages in this House.

Mr. Stokes: They can now.

Mr. J. R. Smith: I think, Mr. Speaker, if this should be the case, that financial provision is available then this should be made known to all the hon. members. As I well remember, the hon. member for Kenora (Mr. Bernier) a number of years ago made provision to assist several young men from his riding to serve here for part of a session as pages.

During this past session we have noticed with great pleasure the visit of Her Majesty the Queen and His Royal Highness to our province. Undoubtedly the affection and loyalty shown to them by countless thousands at every stop of their itinerary was a wonderful thing. Indeed, Mr. Speaker, I hope that we will not have to wait for another 14 years for another royal tour or visit by a member of the royal family to this province.

I know that the city of Hamilton was one of those municipalities that extended its invitation far too late for active consideration, and therefore the visit through our city was just a train slowdown. Despite a heavy downpour in the hour preceding the train's passage through the city, there were well over 15,000 people on the railway siding. And so, I would hope that either some member of the royal family might be able to visit some of the other communities in our province. Particularly during this very discouraging period that our good friends to the south find themselves in, in the morass of the Watergate affair and their constitutional problem, it is reassuring to reconfirm our belief in the constitutional monarchy system.

This past year has seen the introduction of one major bill establishing regional government for Hamilton-Wentworth. Mr. Speaker, just in jest to the hon. member for Brantford (Mr. Beckett), it is rather interesting that our good Mother Bell has on the front cover of her new telephone directory for our region the title "Hamilton-Wentworth-Burlington." We didn't quite get Burlington included in the Hamilton-Wentworth bill, but it is proceeding nevertheless.

The new regional government has had its initial election and the appointment of a fine chairlady, and is well on its way to forming a strong and proved region at the head of the lakes.

One interesting contradiction I couldn't really appreciate from the leaders in the Liberal Party is their constant reiteration of their belief in local autonomy in this respect, and yet our mayor in the city is still adamant in his contention it should be a one-tier region. I think we should give it a chance to prove itself as a two-tier system and then, eventually, when the smaller municipalities that comprise the Hamilton-Wentworth region in the county of Wentworth are prepared to opt for one tier, that will happen.

Mr. Speaker, we hear a great deal about the "Golden Horseshoe," about those of us who live in southern Ontario. I would like to say to the hon. members from northern Ontario that the people in southern Ontario have a great deal of interest in and concern for the people in northern Ontario. One of the things I would like to see happen is some form of equitable freight rates for essential

goods such as milk, bread, flour, and other staples such as gasoline. I would like some form of grant provided for freight, particularly for airways serving the isolated communities in northern Ontario.

I am not just thinking of communities such as Moosonee, which is a well-developed town, but the more remote communities such as Winisk, Attawapiskat, Big Trout Lake, and so on. I think that the basic essentials of life in this province should be available to all citizens at a price which they can afford. We hear a great deal about freight rates in Ontario, but I think something else will have to be done, and very soon, about stabilizing and funding—we usually call it subsidizing—air freight rates for isolated communities in northern Ontario. Already we have seen improvement in the rates for the Ontario Northland Railway, and I would hope that this is just the forerunner of an enlarged programme to serve many more communities in northern Ontario.

We have heard a great deal about the problems of senior citizens and others on limited income. But I think, Mr. Speaker, one of the greatest concerns that I have is for the disabled in the community, and those living on a disability pension. I would hope that the hon. Minister of Community and Social Services (Mr. Brunelle) can persuade the members of Management Board to provide greater funds for their pensions, so that they will be able to live at a subsistence level that is respectable. The allowance currently provided for shelters particularly is far from adequate, and it is almost impossible for a single, disabled person to live and find accommodation in the metropolitan areas with the present pension provisions.

The members of the select committee on the utilization of educational facilities, while visiting Scandinavia looked at many related areas of social services. One I would like to bring to the attention of all the hon. members was something we saw in the city of Copenhagen, involving a co-op residence for the disabled. This residence is one of many found throughout Denmark. It is operated in conjunction with the government and the disabled co-op housing authority, which is a citizen organization.

This particular building was located adjacent to a large metropolitan general hospital and had an emphasis on rehabilitation services. The hospital had incorporated into its design various aids to assist the handicapped in many ways. The housing qualification for tenants in the building made it available to several categories of people.

First, nurses and hospital staff who worked at the nearby general hospital could apply for accommodation on the understanding they would be interested in involving themselves in the programmes of the residents, perhaps being on call during the night or assisting with residents' activities.

The second group which could reside there were those who came to the rehab hospital for short-term periods of physiotherapy or the fitting of prosthetics and so on. They had a special section.

Third, the greater portion of the accommodation was provided for the disabled, not only the single disabled but also those in a family situation, such as a family which might have one child with multiple disabilities of some nature—or an infant or a teenager or the mother or the father. In other words, just one disabled member of a family unit might qualify them for accommodation in this building.

We need this desperately in Ontario. It seems a pity that many disabled people have to go into formal institutions, particularly those for the aged, in order to find proper accommodation. Already in our community we have the Chedoke Hospitals and in the past year they have made provision in the Brow Infirmary to accommodate a number of disabled teenagers who were formerly resident at St. Peter's Hospital.

These young people, although most appreciative of the care and support they received at St. Peter's Hospital, really are happy about their new living accommodation at the Brow. Now they feel they are away from the geriatric connotation of an institution and are in a rehabilitation setting.

Nevertheless, Mr. Speaker, it is still not the ideal situation. I would hope people such as the Chedoke Hospital Association, which has the lands available and the expertise, knowledge and interest in rehabilitation services might be able to embark, in conjunction with the province, on such a residence.

The greater emphasis being placed by the province has been duly recognized by many jurisdictions in the field of transportation. Undoubtedly, although some hon. members say they wish and hope that all the development is going to take place in northern Ontario or somewhere else other than here in the south, this is certainly not going to be the case. People seem to want to go where people are and where the action is.

The matter of rapid urban transit in the 1970s is one of the challenging facets which face our society, not only here in Ontario but

throughout the western world. I would hope the rapid transit plans under way in Toronto might provide the answers needed for our congested areas.

Our city, during this past year, had major funding for a fleet of new buses which are now in operation in Hamilton. I would hope our public transit system might be further extended, not just to have large buses but some smaller buses to go into the suburbs and residential areas. We might be able to participate in a dial-a-bus programme and see if it has application to our area and so on.

One of the chief areas of contention is the matter of the new Mountain freeway, and, Mr. Speaker, through you, I'd like to suggest to the Minister of Transportation and Communications (Mr. Carton) that perhaps he should give serious consideration to the holding of public hearings at this time, similar to those that were held in the city of Brantford, as to the route this expressway should take as it proceeds from the top of the Escarpment to the lower part of the city in connecting up with the Queen Elizabeth Way and the Burlington Skyway.

Already there are a number of people who are concerned that a further gash being made through the Mount Albion gorge might further desecrate the Niagara Escarpment. There are two alternatives and probably more; either to go through the Albion Falls area of the Escarpment or to realign the Mountain freeway down Highway 20 through Stoney Creek.

Mr. Speaker, this might have the greatest merit, as there already is heavy industrial and other vehicle traffic on this highway, and a further widening of the highway to link it up with the QEW might be suitable in this area, although it would result in inconvenience to and displacement of a certain number of people who have residences and businesses in that area.

Then, again, there might be an alternative site somewhere else, where the Mountain freeway could go down the mountain.

But regardless of all of this, the traffic is building up on Highway 53, Mohawk Rd. and all the mountain arterial streets, and a freeway is needed across the southern part of Hamilton Mountain. Before long the residential and commercial expansion on Hamilton Mountain will have reached the proposed boundaries of the Mountain freeway, and a decision in this whole matter should be made now rather than waiting until the problem is even greater.

Mr. Speaker, the matter of land use and abuse in the province and in our nation is one that worries us all and should be of concern to all hon. members. This session we have seen a number of important Acts, notably the Niagara Escarpment bill; and for those of us who live along the Niagara Escarpment, we welcome this proposed legislation and look forward to the work and the proposals that come forward from the Niagara Escarpment Commission board.

I am very pleased, Mr. Speaker, that such a wide cross-section of municipal people and members of the general public—conservationists and other citizens—have been appointed to this board. It's a very interesting group of people, with knowledge and interest in the Escarpment; I just hope that we will see many good things come from their endeavours for the preservation and reclamation of parts of our Niagara Escarpment.

During this past summer, I couldn't help but notice advertisements in a number of the Toronto dailies for urban people to go out and rent a plot of land in the country in which they could plant a vegetable garden. This possibility is a throwback to the Victory gardens that were very much a part of our way of life in this province not too many years ago.

I would like to put forward the suggestion that the Minister of Agriculture and Food sit down with the executive and the director of the Ontario Horticultural association to embark upon a very ambitious programme for the 1974 season of providing lands, either on Hydro rights of way adjacent to urban centres across Ontario, or negotiating leases with owners of vacant and unused lands adjacent to urban centres and so on, to form a garden land bank in Ontario, particularly in southern Ontario. In this way, the horticultural societies would have land made available to them and they, in turn, could arrange for urban dwellers to rent plots of land for a nominal fee on which they could grow vegetables or flowers.

Not only are the monetary savings immense, but the therapeutic value and the pleasure of gardening are such that it now rates as the No. 1 hobby of our people. I think this is the appropriate time, since there is such a need because of the high costs of vegetables, for us to grow a great deal more and to learn a great deal more by promoting this horticultural endeavour.

We have the people with the technical knowledge and experience in our province through our various horticultural societies, which are located in every hamlet and town across the province. And we have the public

that wants to participate in such a programme. The only thing is the shortage of land.

A great deal can be done if the moneys were provided and this programme could be co-ordinated with the horticultural societies and the Ministry of Agriculture and Food. Indeed, in the first deep freeze of winter this may seem a far-removed subject; but the hon. member for Scarborough Centre (Mr. Drea) has shown me that already the first seed catalogues of the spring season have arrived in the Christmas mail.

Mr. Laughren: The member for Scarborough Centre showed the member that. That's pretty good.

Mr. J. R. Smith: That's right.

Another matter of land use in my particular region is that of our waterways and our water lots. I would hope, Mr. Speaker, and I would urge that the Ministry of the Environment take a further look at the matter of Cootes Paradise at Hamilton. This wild fowl sanctuary is undoubtedly one of the most picturesque wild life settings in southern Ontario. It's depicted in many paintings and photographs. It cannot help but inspire awe in all those who see it for the first time as they go over the high-level bridge along Highway 403.

One of the sad travesties of this past year has been the new reports that the water quality of Cootes Paradise is deteriorating rather than improving. I would ask that the hon. minister might do something about this continual deterioration of the water in Cootes Paradise.

We suspect, as many do, that the chief offender and culprit in this matter is the increased development in the town of Dundas. If this should be the case—if it is the overflow from the sanitary sewers from the town of Dundas—something should be done to curtail this development until sewage facilities can be provided to cope with the situation.

Similarly, there is the matter of Hamilton Bay. Many people in Hamilton have great concern that there might be rapid growth in the city of Burlington, and this also would cause problems of water quality control in Hamilton Bay.

Mr. Speaker, all those who come to Hamilton these days cannot help but be moved by the changes that they see. The changes have basically been wrought by the people themselves—whether this be the new Hamilton theatre auditorium for the performing arts, the new Jackson Square—or the whole heart of the city, which is currently under redevelopment or has seen major buildings completed during the past year.

One of the really hoped-for buildings, that many members of this House have spoken about for many years, is a Province of Ontario structure that would include all of the current provincial offices. These offices are scattered throughout the city, and include the Ministry of Agriculture and Food, Community and Social Services, and so forth. These would be combined into a provincial building.

Plans for such a structure have been announced by the Minister of Government Services (Mr. Snow) and all of us look forward and hope that the ground may soon be broken for this building.

Similarly, there is the provincial trade centre, which is to be constructed adjacent to the theatre auditorium. These two projects are needed and we would hope that the new year will see the breaking of ground for both of them.

Mr. Speaker, I would like to commend former colleagues of mine who are members of the select committee on the utilization of educational facilities and to heartily endorse the very first recommendation in the report. It is:

> That the present distinction between normal operating costs and community use costs for schools should be eliminated. The total cost of school plant operation should be classified as extraordinary expenditure and made eligible for provincial grants and general legislation grants for elementary and secondary school boards.

Undoubtedly, many areas of the province are more advanced than others in providing of community use of their facilities; and it boils down to the dollars and cents, and the ceilings and the funds provided to keep these schools open. But I hope something might come of this recommendation and other recommendations in this report in the new year so that we can—

Mr. Laughren: Speaking of keeping the schools open.

Mr. J. R. Smith: —have greater community use of our facilities.

Mr. Stokes: Yes, what is the member doing to keep the schools open?

Mr. J. R. Smith: Mr. Speaker, on the whole matter of—

Mr. Laughren: Is he really trying to keep the schools open?

Mr. J. R. Smith: –facilities and educational institutions, I would like to urge upon the Minister of Colleges and Universities (Mr. McNie) the real need for a student facility at Mohawk College in my riding.

Mr. Stokes: Don't members ever talk to one another over there? The member is the parliamentary assistant to the Ministry of Education and he has to talk to the Minister of Colleges and Universities in a budget speech.

Mr. J. R. Smith: If we are to put the community college stream and that of the universities on the same level, I feel we must provide equal educational facilities. It seems to me rather ironic that those in the universities can have all the comforts and facilities of a maharajah while people, for example, like some of those in the community colleges, particularly Mohawk, have just the bare essentials and are extremely overcrowded and really have nothing in the way of student recreational facilities.

Already the students' union has collected, through its annual checkoff from the students, approximately $150,000 and they are proceeding with the Arnold memorial building to provide on-campus facilities for students. The province, through its restraints, has not provided any other fund to match these or further expand them. The campus has splendid academic facilities and shops and studios, but does not provide for the total community aspect of an educational institution. A swimming pool and student recreational facilities are greatly needed and I had hoped that these funds might come forward.

Mr. Speaker, we are all appreciative of the assistance given to various amateur athletic projects.

Mr. Stokes: The whole educational system has fallen down around our ears and he is talking about building swimming pools.

Mr. J. R. Smith: The matter of the athletic commissioner of this province has been greatly appreciated by all of us. Many sporting groups have been assisted by his office through the year. I think this is one area where a great deal more money could be funded because we are assisting the people actively involved in the grassroots of amateur sport and not necessarily training people—

Mr. Stokes: The member's minister says he has to cut education costs.

Mr. J. R. Smith: –for Olympic endeavours. I am more interested in the general benefits that accrue to everyone involved in recreational activities, particularly in amateur softball, in the peewee division or in the touch football league.

Mr. Stokes: Does the member ever talk to the minister?

Mr. J. R. Smith: Mr. Speaker, assistance there has been very good, but I think it could be greatly expanded, because we have a number of organizations that need help.

Mr. Stokes: What does the member do for the minister? What does he do as parliamentary assistant to the minister? Does he cut ribbons or what?

Mr. J. R. Smith: I do many things. I am sure some day I would like to sit down with the hon. member and explain to him some of the facts of life.

Mr. Stokes: What does the member mean? The birds and the bees?

Mr. J. R. Smith: Mr. Speaker, I don't know how you have the patience, really, when you try to keep order here in this House. When you look at Hansard after you have finished speaking, and you see the interjections and the distractions that many members have to endure, it is something else.

Mr. P. D. Lawlor (Lakeshore): Interjections are the best part of the debate.

Mr. R. D. Kennedy (Peel South): Not the member for Lakeshore's.

Mr. J. R. Smith: All courtesies and other nice things seem to have gone by the board during this session, and it is certainly most deplorable. I often wonder what some people must think when they come to the galleries of this House.

Mr. J. F. Foulds (Port Arthur): There is the prim and proper member.

Mr. Stokes: Does the member believe interjections are deplorable?

Mr. J. R. Smith: I definitely believe in certain rules and procedures that are laid down by this House and that are on the statutes of this province.

Mr. J. A. Renwick (Riverdale): We wouldn't want this to degenerate into a debating society.

Mr. Laughren: We don't want any politics in this Chamber!

Mr. Renwick: Just make it all statements by the ministry. That would be most appropriate for him.

Mr. J. R. Smith: Mr. Speaker, I would like to commend the Premier of this province and a number of his ministers who have embarked upon the "new awareness" programme and have gone out to meet the people. Indeed their reception in the city of Hamilton was most encouraging and they certainly are aware of the problems and what is taking place. We look forward to even greater things in the year ahead.

Mr. Speaker: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I would like to take advantage of this Budget debate to put before the government a few matters that I think should be looked at by it, and its policies on them changed drastically. One of them which I feel comes at the top of the list in my area is garbage—and it's not just in my area but it's in Pickering.

An area far to the east of Toronto and other areas to the north and to the west have successfully fought off attempts to dump garbage from Toronto in their parts of the country. It seems to me our province, especially with the technology that is now available all over the world, should give leadership to municipalities, knowing they are seldom in a position to finance modern means of harnessing garbage and making use of the energy that is in garbage, particularly at a time such as we have upon us now when energy is at a premium and fossil fuels have become rather a scarce commodity and something we need to take care of.

I have been examining the proposal put forward by a group that calls its project "Put Garbage to Work"; the proposal for waste-disposal energy recovery in Toronto. The committee presenting it includes an engineer from Price Waterhouse Associates; another engineer from Currie Lehman and Associates; a man who designed the Hamilton waste reduction unit, Gordon Sutton; a contracting engineer, Foundation Engineering; and a man from Consumers' Gas who sees in garbage a potential source of energy.

That would be a means of getting rid of a commodity that Toronto doesn't want to have lying around its streets or even on its waterfront, but that its officials want to dump on other communities who don't see in garbage anything particularly attractive at all.

Mr. Lawlor: Why does the member always talk garbage?

Mr. Deacon: To enlighten the member for Lakeshore, I suppose the reason I am concerned about garbage is that we have some 900 acres of cleaned-out gravel pits that are very attractive to people such as Mr. Goodhead who, with his associates from south of the border, has been eyeing a 25-year contract actually to get more money out of those gravel pits by allowing people to dump garbage in them than would have been obtained from the gravel that came out of them.

Mr. J. R. Breithaupt (Kitchener): Isn't the member glad he asked?

Mr. Deacon: So, actually the source of revenue for the owners of the pits in getting them filled up with garbage is even greater than it is from the original gravel.

Mr. Lawlor: What does the member think of the new Disco plant?

Mr. Deacon: When one looks at the potential threat of garbage like that to the source of water for communities such as Richmond Hill, with 24,000 people and a major well supplying that town in that area, once that garbage starts to contaminate the source of water it's certainly going to be something that our children are not going to be very happy about.

I look at the marvellous new plants that have been designed and constructed in other parts of the world that are really a treat to go through to see. The one at Nuremberg, for example, is not only a very efficient converter of waste into watts but also a very attractive architectural structure in the city, one that certainly enhanced the community rather than detracted from it.

It seems to me we should be moving in that direction and not just pussy-footing around with a project that will handle, I think, ultimately perhaps 20 per cent of Toronto's garbage output. In fact, we should be looking toward virtually all Toronto's garbage output being converted into energy.

The idea that the present regulations of the government will force the closing down of incinerators that are now causing air pollution and change that to where they cause ground pollution is a great concern to me. Once we bury that stuff in the ground and it starts to contaminate our sources of water, it can cause a lot of other contamination

or danger or threat for generations to come. I think it is a lot greater threat than putting up, for another two or three years, with air pollution which we could easily have totally eliminated by properly constructed incinerators of the type in use in other major cities in the world.

I think it is time this government recognized that in doing so it would be making garbage into an asset, a potential earning source for the government investment. It would not be money going down the drain or a potential revenue source being covered over with dirt and causing pollution in the future. It will be an excellent source of revenue, an excellent source of energy and a means of saving energy used in actually carting this garbage from the place it comes from, Toronto, into the countryside around it, which has no desire to see it and has been fighting desperately to stop it going in.

It is certainly upsetting that the town of Pickering is one which has not only had to contend with an airport problem and a Cedarwood problem but also a garbage dump problem. It is time this government assumed the responsibility, seized the opportunity and built these plants which others have built successfully, have operated successfully and have made use of the resource of garbage in a way that makes sense in today's time of energy crisis.

The second point I want to bring up, Mr. Speaker, is one I bring up every year. That is the absolute lack of action by this government in getting at the key source of the housing problem—the unavailability of sites on which a person can build a house. By unavailability I mean a shortage of sites in comparison with demand. We've debated this in the House time and time again. We have wasted good existing housing stock by listening to reports of those who would profit more or who would have an opportunity to build a great structure or monument to themselves, and who have in the past destroyed sections of the downtowns of different cities which really did have good potential housing stock.

I think of Ottawa and some of the stock torn down in Ottawa. I think of downtown Toronto which finally this year has started to take a good sensible look at what could be done with homes in which people are living, who would like to stay living at the same site and who, given any sort of assistance at all, can do remarkable things with the money they are given.

In the Shaw St.—Queen St.—Bathurst St.—waterfront area of Toronto are some 900 residential units which a few years ago the city had zoned for destruction because it was an area it thought would be better as industrial-commercial zoning. It said most of those houses weren't fit to repair but the city council this past year said, "We think that is a good place for people to live. We think that area can be restored. We think that area is one where the people, if given any sort of an opportunity, any sense of security, would do a lot to revitalize the houses."

They were given $300,000 to fix up 900 homes and that isn't very much when one thinks of the number of houses $300,000 might build—15 to 20 units the way we build Ontario Housing and the typical way there. I doubt if it would do that today.

Yet they have taken the $300,000 and the community council hired an architect, an engineer, an electrician, a carpenter and bought a truck. They worked with the local community and sorted out what houses needed what; who could do what; allocated materials—largely used materials—and 600 of those 900 homes have now been restored.

If one drives in that community it is a treat to see it. There are lovely fences, walkways, gardens; the houses are painted all kinds of different colours and each place shows the pride of the owner or the tenant because many of these houses are not owned by the residents; they are tenants. They still had the opportunity to fix up the place they are living in. The community has changed in its whole outlook and its whole appearance and certainly it means that that area, instead of being a source of social problems, is a source of pride in the city.

Just think, if we would do more of this sort of programme of allocating back to the people resources that, to the experts, to the grand planners, are meaningless. Just think what we could do in many parts of the city. But that is also the case in rural areas. There are examples of towns outside of Toronto where new plants have gone in and people have said, "We have to have a lot of new housing in that area." But people bought up abandoned houses, fixed them up, and at a very low cost have got themselves a very comfortable place to live.

It is so much more economical for us to let the people have the resources instead of trying to do things for them ourselves. We say, "It's not possible to do it. How can you regulate it? How can you control it?" But, if one gives the responsibilities for control to a

community sized group, such as they did in Toronto, then one eliminates the problem of regulations, of control by a civil service which is not part of the community. People in a community are not apt to cheat their neighbours; they don't want to do that, they don't want to be caught out. As a result, Mr. Speaker, you really get value for your dollar where the government allocates, on an unconditional basis, funds to a community to restore housing.

I suggest that this government examine what Toronto has done and do things to encourage that in other parts of the province, because there is far greater charm, far greater potential for a stable community, in areas where the community has been part of its restoration instead of part of a grand plan from some experts in a central government body.

Insofar as the matter of building codes and standards is concerned, I think we have probably gone far too far trying to regulate the kind of house people will live in. I think that by putting too much into regulations, we have removed the opportunity for those who want to make their own way, who want to fix things up themselves, to be able to build a structure which maybe at the beginning doesn't meet minimum standards but in time will do, because they themselves want to improve their residence.

This summer I was very interested to visit a house which had been purchased for a matter of $400 and moved on to a site. It's only a small house—I think it's 12 by 24 — in which a young couple are living. But I was amazed at what that couple had done to fix that place up and give themselves a place of their own in which they have pride as a place to live. They would rather do that than be put into some type of subsidized housing where they are just part of a huge structure, where they really don't have an identity or something of their own. They are really pleased to have the opportunity to get into a place of their own instead of being in what would be a typical standard house designed by the government and built by the government.

Surely it is important for us, if we are going to solve the housing problem, to give much greater flexibility to the people to solve their problem than it is to try to do it for them, because when we do it for them we are not giving them the chance to have each individual meet his own preferences and priorities.

When it comes to new houses, I think we have given so much emphasis to codes, we have forgotten that how houses are put together is often the key to whether or not they are satisfactory. I hope, Mr. Speaker, the Minister of Consumer and Commercial Relations will soon introduce the type of practice that is now in effect in Britain, and which has been quite satisfactory, where they have a five-year warranty on a house. The warranty is given by the builder, backed by a builders' group—I forget the name of the association which does the backing but it's a major association — in effect an insurance policy, to be sure that house meets performance standards.

In other words, if the roof leaks or the basement leaks, if there is any kind of a problem with that house in the first five years, there is an insurance policy that in effect guarantees performance. Whether or not the builder does it, somebody will satisfy that owner and have him assured of satisfaction for the money he has put out for the house.

We need that type of provision in Ontario, because time and time again I encounter these kinds of problems and sometimes, because I am the local member, I am able to bring some pressure to bear on the builder. But it is not always the case that people will come to their member or someone who can help them. They just put up with the problem and fume about it. But we can help them by bringing in the type of provisions that they have in Britain, where the builders in effect have an insurance policy to warrant that the house is a good house.

Mr. Speaker, I'd now like to move over to the area of transportation, because particularly in this time of energy shortage, we are going to have to take action instead of just talking about futuristic travel. We are going to have to take action to make it possible for people to move about with less reliance on individual means of movement, such as automobiles or private means of that sort.

There are, of course, different ways of moving—road, rail, water and air. We have different methods in different countries where people move on the road. In Lima or Mexico City one will see cabs driving along the main thoroughfares and several people can get into the same vehicle. The cab goes from one end of a major thoroughfare to the other, and for a very nominal amount of money one can ride from one end to the other; three or four other people get in or out of the car as it stops at different corners and picks

them up or lets them out. It is a very inexpensive way of making the automobile become a public vehicle.

But in other cities, of course, Toronto included, the taxi is normally a means of moving from one destination to another by an individual.

Dial-a-bus is an attempt by this government to take advantage of the use of a single vehicle to pick up several people from different homes and take them to a single destination or from a single point, such as the end of a subway, to their different houses. But it is a fairly expensive means of moving people about, compared with the normal buses we have used in the past to get people from one point or another on major transportation routes.

One problem with buses that we haven't yet solved, particularly in the suburbs where it is not possible to have heavy schedules and frequent pickups of people at the bus stops, is that people really don't know when the bus is going to come along or where it is going. I submit that this government should encourage, and do it by means of its agreement with municipalities, the posting of schedules and route maps at all bus stops. This is quite easy to do and would do a great deal to let people see the type of public transportation they can expect.

Posted schedules should indicate the times the bus comes along and perhaps when the bus would get to its destination, whether it is a subway station or somewhere else; perhaps even how long in normal travel times, it would take to get from that point to, say, the city hall, Bloor and Yonge or a typical destination. Then, when people come into a neighbourhood, they can get an idea of what public transportation is available and what provision they would have to make in their schedules to make the best use of it. Those are some points as far as the use of road is concerned.

Water and air are, of course, under the control of the federal government. But in both water and air travel we have—as we do with road—a public use of public facilities under licence. A licence is required to make sure the vehicle or the ship or the aircraft is up to standard. As far as operators are concerned, they are also licensed to be sure they are capable of operating that aircraft or that boat, or whatever the vehicle might be.

But one area where the public doesn't have access—and it is a really important means of movement—is the railways. The Canadian Pacific was originally set up as a private corporation with financial assistance from the federal government to build a railroad connecting one end of Canada with the other. And the rights for use of adjoining land was given to the railways in accordance with certain agreements to move people and traffic.

The difficulty has been that over the years the railways have found the public pretty difficult to handle; not nearly as profitable as freight. They have gradually done everything to get out of carrying people. It has been very frustrating for the federal government who, by one means or another have done their best to encourage them to continue to carry people. They have done it by means of an 80 per cent subsidy of the losses on rail lines where they have insisted service must be continued.

Now, an 80 per cent subsidy on the loss isn't really going to assure the public of good service. Although you can lead a horse to water, you can't make the horse drink. And if the railway transport committee orders someone to provide service to the public, they don't necessarily get it just because there has been an order issued.

The railway may provide a train, it may run on schedule, but there is a lot more to service than just providing a train and a schedule; there is a lot in the way you provide the service. There is the way the schedules are set up. Do the schedules really move people at a time they want to be moved? Are they schedules that provide the fastest time, and things like that?

There is only one way that we will put rail services back on an economic and a sound basis in this country, and that is when those railroad beds are taken over by the federal government; taken from the CP and the CN and made public rights of way—just as our highways are, just as the waterways are, and just as the air routes are. There is no other way.

If we do this we will find that for a very small amount of money, in comparison to what we spend on road and air—and for water travel as well—we will have available to those who want to serve the public the use of really invaluable rights of way, because the railways are a separate way from the highways. They aren't subject to traffic jams, and they don't need to be subject to traffic jams, as the highways are with all kinds of vehicles.

The railways can be expanded in their capacity by the government of Canada as the traffic warrants it; and the traffic of course would be very carefully controlled

traffic, because there would be those who have the equipment and have the operators qualified to provide a service that the government could designate as necessary.

It would be particularly good for this province if it had a situation where the railroads were owned by the government of Canada, and the province could then go to Ottawa and say, "Look, we want service in the north from, say, Kenora right through the north to Hearst, and in areas that now aren't getting service. We are prepared to call for tenders to provide the passenger service we want to provide."

We could call for tenders and then know that the government of Canada would make available to its traffic controller the use of that line at the time that the government of Ontario felt that service should be provided.

And then in calling for a tender you would know that that person, or whatever company answered the tender was actually wanting to provide the service; and particularly if those tenders were submitted on a passenger type of subsidy. If there were a real incentive to carry more passengers, then we would see a tremendous increase in the use of that public transportation—because I am sure the service would be improved.

In the metropolitan areas, such as Toronto, that would be a real Godsend. Imagine what would be possible in this area if this government had this service, instead of having to be a Santa Claus to the CN, and pay the CN to provide a service that the CN really dictates. The CN says when it will let the trains run, and does it in such a way that it doesn't interfere with the freight trains.

Instead of having it where the freight trains fit between the passenger and commuter service, it would be a tremendous thing if the Province of Ontario could go to the federal government and say, "We want to put in this type of service. We're going to call for tenders. We want to be given priority of use of these rail lines so this service could be provided." Then they should work out a deal with the federal government as to how much they'll have to pay on a wheel-mile basis or some usage basis on those lines.

In this way, the government of Ontario would not have to be subject to the CN's whims and the CN's decisions as to what extra equipment or signal equipment or—

Mr. Lawlor: Turning into a socialist nationalization.

Mr. Deacon: Well, there's a lot of difference between having rights of way, such as roads, owned by the public and having the transport, the actual vehicles, the equipment, owned by the public. I am not in favour of having the government run the equipment, but I would like to have the government in a position where it can call for tenders by those who want to provide the services. That will make a lot of difference over the present situation where the government has to go to a Canadian government-owned corporation that for all intents and purposes doesn't offer any advantage over what the CPR would offer.

Mr. Lawlor: What would the member do with the CPR with respect to the roadbeds?

Mr. Deacon: The CPR would take over those roadbeds.

Mr. I. Deans (Wentworth): Yes, sure they would.

Mr. Deacon: Let the CPR use the CN roadbed or the CP roadbed or anything else, when it wants to put a freight train on, but it's going to have to move that freight train at times when it doesn't conflict with the passenger service.

Mr. Lawlor: I agree.

Mr. Deans: And when it doesn't conflict with a freight train, who going to provide it? That's where we would put the money in and do it ourselves.

Mr. Deacon: That is where we would be calling for tenders to provide a service for the freight and the passengers.

Mr. Deans: And if nobody wanted to provide the service?

Mr. L. Maeck (Parry Sound): I think both members are dreaming.

Mr. Deans: I'm almost asleep. I could be dreaming.

Mr. Deacon: Tenders would be provided for a seat-mile subsidy in areas where they didn't want to do it.

Mr. Deans: A subsidy? Why do we have to keep putting money into entrepreneurs' pockets?

Mr. Deacon: Because if you have a freight service for an area where there is plenty of competition—

Mr. Speaker: This is a very unusual budget debate. The hon. member for York Centre has the floor.

Mr. Deans: I'm only trying to help.

Mr. Deacons: I think he is. I'm sure he is.

Mr. Lawlor: No, we just want to understand.

Mr. E. W. Martel (Sudbury East): That is socialism that we're talking about.

Mr. Deacon: In an area, for example, between Windsor and Montreal, on that route there's going to be plenty of competition from other than the CP and the CN to those railroad beds to carry freight. There would no longer be a monopoly. Actually the two railways have it between them, but each of them have a monopoly on the use of its own roadbeds and this is where the real problem is. I want to be sure those roadbeds are just like a highway, that they are open for use by anyone.

Mr. Deans: Some of them are like that stretch of highway that the member for Thunder Bay mentioned.

Mr. R. G. Hodgson: First of all, the member has to convince Ottawa.

Mr. Deacon: Being opened for use by anyone—

Mr. Deans: And 49 miles of it.

Mr. Deacon: —they would be open for use by those on a basis where they would have to pay so much for actually using the roadbeds.

Mr. Deans: So, if I wanted to run my own little train all I would have to do is pay for it.

Mr. Deacon: The member would pay the federal government for running his train. Another example would be Lake St. Joseph property in the northwest of Ontario. There has been a problem with Steep Rock trying to get a deal with CN on moving the ore from the Lake St. Joseph property down to Thunder Bay. It would be different if Steep Rock were in a position to use that CN line —and it's no longer a CN line, but a government of Canada line—to work out its own deal with the government of Canada, to put its own train down to Thunder Bay. As it now stands, it has got to work with the CN. It has no choice. If the CN doesn't want to carry it and doesn't want to do a deal on a favourable basis, then Steep Rock is absolutely out of luck .

That is the real problem with the passenger service as well. In Montreal the people in that area enjoy a very fine commuter service just because the railways, particularly the CP on the lakeshore run, decided they might as well do the best they can in a service they can't get rid of. They have done a whale of a good job. By what they call skip-scheduling they've managed to greatly speed up the actual travel time from communities out on the Montreal lakeshore to the centre of town and they have really attracted traffic away from cars. As a result, the actual rate of growth in that line has been way ahead of the rate of growth on our GO trains. The reason is that our GO trains aren't really scheduled in any sort of imaginative manner at all.

I certainly urge this government, instead of continuing to subsidize the CN, to go to Ottawa and say, "It's time you did what the western premiers are urging you to do. Let's take over the roadbeds, put them in shape and make them available for use by those who want to provide service and make use of those roadbeds." The cost of doing this—

Mr. R. G. Hodgson: Stanfield will do that right after next June. Stanfield will do that right after the next election.

Mr. Deacon: It would be great if some government in Ottawa would do that. The cost of actually maintaining these roadbeds is so much less than any other type of transportation mode.

For example, one of the American railroads this last year budgeted $37 million —$37 million, of course, is just about double what we are spending for two miles of tracks around the Exhibition for this GO-Urban business—that $37 million they are spending down there is going to improve some 160 miles of roadbed; 160 miles, not four miles which would be the rate of improvement if we were spending that on our GO-Urban type of system. That 160 miles of roadbed is being upgraded by the straightening of curves; by improving the actual base so they can get rid of some of the wobble in the trains; ribbon-rail; heavy steel. They'll be able to greatly speed up the actual trains on those lines. In addition, that $37 million is also enabling them to single-weld, as they call it, some 1,800 additional miles on that system.

The amount of money we have to spend to upgrade the roadbeds of the railways is just a small fraction of what we spend on a highway interchange and yet the carrying capacity is very great. A single track can carry up to 15,000 people per hour and that is certainly a great deal more than we are now carrying on these tracks under the direction and traffic control of the two railways. In other countries where they are really giving good passenger service they are making these roadbeds very efficient and very effective at low cost.

It's fine for us to talk about GO-Urban and spend some money on developing transportation modes for the future, but right now one gets the feeling this GO-Urban is just something to take our minds off what we could be doing right now and what we need to be doing right now. It is for that reason that I urge this government to stop—

Mr. Deans: Procrastinating.

Mr. Deacon: —procrastinating, go to Ottawa, get them to take over that—

Mr. Deans: You're welcome—any time.

Mr. Deacon: Thanks. I am grateful to have the member's help.

Mr. Deans: I'm alway prepared to help.

Mr. Deacon: My wife says that's one of the things—

Mr. Deans: They call it a prompter when one is on the stage.

Mr. Deacon: I seem to have to use a prompter quite often. My wife prompts me at home and I am getting prompted here by the member for Wentworth.

Mr. Deans: That's all right. It's a pleasure. Any time I can help, just let me know.

Mr. Deacon: I urge this government to get busy and get those railbeds under public ownership so that, indeed, we can make use of them in this way.

The CP, for example, will be the only one for which we would actually have to have any public outlay of money. It's quite easy to work out what the value of the rights of way are, because across the province municipalities have been given the value of these rights of way for assessment purposes by the CPR. That is the basis on which they're taxed and, surely, that can be the basis on which they can be taken over by the federal government.

Mr. Deans: Has the member given any thought to the use that it might be given within the municipalities?

Mr. Speaker: Order. The Speaker is finding it difficult to hear the hon. member's speech and I don't like to be deprived of the benefit of the words of wisdom of the hon. member. Perhaps he would direct his remarks to the House.

Mr. Deans: I was trying to provide him with another train of thought that would have gone on for another 15 minutes.

Mr. H. Worton (Wellington South): Train or track?

Mr. Deans: No, it was a train of thought.

Mr. Deacon: Mr. Speaker, I urge that these matters are dealt with: The matter of the waste that we're wasting by burying garbage instead of turning it into watts, as has been suggested; the failure of our government here to spend money on providing services for housing—the failure of our government to help municipalities put individuals in a position to improve their homes—is something we've got to see changed; and, lastly, this matter of transportation. Let's make better use of existing facilities, instead of spending so much of our time and money and our promotion on something that may be fine in the future, but should not be a distraction of the potential solutions available now.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Thank you, Mr. Speaker. All I wish to do this afternoon for a few moments is to give a general confession, ask for an act of contrition, bow my head and disappear from the scene.

On a previous occasion in this House, on Oct. 11, 1973, I made certain quotations from a letter from a friend of mine by the name of Wolfe Goodman on a taxation issue before this House at that time. I was somewhat aware that an earlier part of the same speech contained extended references to a letter Mr. Goodman had written to the Globe and Mail on precisely the same subject and pretty well in the same terms. Nevertheless, I was quoting from a letter of his and I wish to apologize to him publicly in this House.

The only reason I used his letter without consulting him in advance was that I hadn't intended to use his name at all but simply to use the letter. But when I stood up to speak, I had the horrible thought that I may

be plagiarizing somebody, which would be the last thing I'd wish to do. In other words, to use somebody else's words rather than my own in any particular context or debate quite horrified me, so that my mind became paralyzed and I proceeded to mention his name. That was quite improper and, as I say, it is something I wish to rectify.

The situation goes a little further, Mr. Speaker. In the text at page 4157 of this year's Hansard, there's a tendency for what Mr. Goodman had to say to become blurred with what I had to say. That is an ongoing and recurring problem of mine, the commentary upon the text, so to speak, and Hansard, bless them, were unable to segregate both these things. I don't blame them a bit. I mean they're doing a first-rate job, but, the fact of the matter is that there was a tendency for one to overlap and intertwine and somehow get mixed in the other.

I informed Mr. Goodman, and he quite agrees with me that my particular style, the peculiar flamboyance which is peculiar to my manner of speaking, is not and could not, by any stretch of the imagination, be confused with his more sober and legal-like mannerisms and general style and critical acumen. Nevertheless, in places it does appear that he is saying things which would never come out of his mouth and vice versa.

I am thinking particularly in paragraph four on page 4157, where he makes reference to sharing certain opinions of mine. The paragraph ends on the word "motherhood," and that is the end of his remarks. On the page, the indentation, as though it were his quotation, continues into paragraph five, which began: "Well, dammit, we will oppose motherhood, if it comes to that—if that is something new in the world and mothers are as subject to criticism as anyone else." That is mine.

Mr. Goodman tells me that despite all the Freudian prerequisites, he wouldn't ever dream of making a statement of that kind. Whereas I in my youth, having been subjected to the writings of Mr. Philip Wylie, who wrote a book called, "Generation of Vipers," in which momism is the chief curse in America, the thing that has brought us all to this fell pass, that sticks in my mind and I don't mind being identified with Philip Wylie in an attack on motherhood if that is what it is deemed to be.

Curiously enough, the last part of the paragraph, which reads, "However, in my view, there is really no substantial basis for such an exemption"—that is, an exemption for widows from succession duties—that is Mr. Goodman's sentence, not mine, although it would appear to be either his or mine, and I think it should be clear that it is his and not mine—

Mr. R. F. Nixon (Leader of the Opposition): I wish the member would clear that up, because we are very much concerned about it.

Mr. Lawlor: That is perfectly right; I am concerned about it, and I have had representations made to me to attempt to make some clarification of the issue.

In paragraph six at the bottom of the page, beginning, "I recall participating . . ." that is Mr. Goodman's. At the tope of the next page, beginning, "Of course, the basis for unlimited exemption is the belief that the husband and wife are both contributing in their own way to building up the family's wealth . . ." that is Mr. Goodman's, as is the next paragraph and the next. Then we come down to the section—

Mr. R. F. Nixon: Is the member going to send copies of this to all his constituents?

Mr. Dean: No, only to Mr. Goodman.

Mr. Lawlor: And then we come down to the section, Mr. Speaker, where the member for St. George (Mrs. Campbell) and the Treasurer of this province say that certain statements here are chauvinistic. Either they couldn't have been listening to the statements or their economics is somehow awry. I accept that in the case of the Treasurer as being commonplace, but in the case of the member for St. George I find that very questionable. It is just a case of very close attention to the text, and she will find that there is no male chauvinism involved in the critique of that particular statute.

Mr. Laughren: It is only an amendment.

Mr. Lawlor: I think that is the substantial basis of what I wanted to say in order to clear the record.

On page 4158 I do indicate fairly clearly, that the paragraph beginning, "If the province is going to collect any significant amount . . ." and down to the words "revenue terms" is that of Mr. Goodman, and the one beginning, "And that's where your government falls" is mine. I don't know if Mr. Goodman thinks the government is going to fall on that. In any case, it was my opinion and still is my opinion, and I wouldn't want it to be confused with his. As for the rest on the opposite page, I think it is fairly clear—I trust it is—and that Mr. Goodman will be satisfied with

this explanation of the confusions that have resulted out of the text. I thank you, Mr. Speaker, for this brief time in which to explain.

Mr. Deans: If that doesn't bring down the government, nothing will.

Mr. J. R. Rhodes (Sault Ste. Marie): Right. Nothing will.

Mr. H. C. Parrott (Oxford): Mr. Speaker, I am privileged to speak after the member for Lakeshore. With his ability to confuse, plus my own, I am sure the period between 5 o'clock and 6 o'clock might be completely unrewarding. Notwithstanding that possibility, I think I will say a few words anyway. The remarks were prepared some time ago, and I am not too sure that I am fully aware of what I am going to say in the next half hour—

Mr. Deans: We have suspected that of the member for some time.

Mr. Martel: He left himself open there.

Mr. Parrott: They have suspected that for some time? Well, I thought I would just read that out.

Mr. Rhodes: He sounds like the member for Sudbury East.

Mr. R. F. Nixon: He was just as surprised as we were.

Mr. Parrott: Well, it is a very pleasant half hour we are going to have.

Mr. Deans: Never mind, just think of the pleasure he will have tonight reading it before he goes to bed.

Mr. Lawlor: With the interjections it will take a full hour.

Mr. Parrott: No, I don't think I want to take a full hour. I might if the member provokes me long enough. I think I can stand here for a very considerable period of time.

Mr. Martel: Go ahead. The Tories want the member to fill in some space while the manoeuvring goes on in the back room.

Mr. Parrott: I am reasonably sure whatever I say would have the same impact as what the member for Lakeshore would say; that might not be very much, but I am willing to play those cards for a little while.

Mr. Lawlor: Don't worry. The member won't have any impact at all.

Mr. Parrott: It is a very free and friendly House we are in this afternoon.

However, to be a little serious, Mr. Speaker, I would like to spend some time discussing the problems of the nursing homes of our province.

Mr. E. Sargent (Grey-Bruce): Hear, hear. Give 'em hell.

Mr. Parrott: Last summer I had the opportunity to make a rather comprehensive review of nursing home conditions in Oxford, and it seems to me that these conditions are perhaps a fair reflection of the conditions that prevail across the province.

Mr. Martel: I thought the member wanted to blast the LIP programme.

Mr. Parrott: What impressed me most, and what I would like to bring to the attention of the minister, is that most nursing homes provide more than adequate care for the "chronic" patient—and I would like to put the word "chronic" in quotation marks. I feel many patients in this category prefer nursing home accommodation to hospital care, because nursing homes usually are more personalized than a large hospital institution. I hope we will always favour these nursing homes with 40 to 80 beds over the larger ones.

It is generally recognized that a minimum number of beds is necessary for a viable unit. But I hope we can also see, particularly in the care of the aged, that visiting by the staff themselves is frequently of the essence in the caring for those aged patients. Therefore, I think we should limit the size of these homes so they do not become monolithic monsters.

I see no reason why an owner should not have more than one home but I think each home should be limited to a specific number of beds. If this is not done, impersonalization becomes more important than perhaps the additional facilities that might be offered in a large home.

I don't particularly want to give examples but physiotherapy is a possibility. It would be excellent to have. But I think more important is to keep those homes on a personal basis.

Some will argue that the results will not be as great. However, I don't take that position. In the main, we are dealing with people who are in great need of companionship—and far more that than the sterile accommodation that we frequently see in large institution.

We are frequently dealing with those who are unlikely able to progress to a full rehabilitation. That word "rehabilitation" triggers a second thought: The question is then, what is truly a chronic patient? Also, is the patient better in a nursing home or in the chronic hospital situation? For the aged person who has been ill and needs rehabilitation, the hospital with all its facilities is where the greatest improvement in his physical condition is likely to occur. I think those facilities obviously should be available to the aged person.

However, there are many more cases where people in chronic care and according to our present medical knowledge have reached their peak of rehabilitation and will not improve from their present condition. Once that condition is reached I am sure that a nursing home can fulfil the responsibilities better than most of the chronic wards of our hospitals.

Just in case hospital administrators might think I am about to close down some of their hospitals or beds in the hospitals, let me assure them this is not true. Hospitals were originally designed for the care of the acutely ill. I think we should uphold this philosophy.

Hopefully then, the minister, if he were present to hear this, would establish that nursing homes are for the care of the truly chronic patient. It is common knowledge in the nursing home business that there is a great variation in the amount of nursing care required for various patients.

Nursing home operators have a business to run and run it as a business they must. But there are terms of references society has given to them which I find distressing—not that it precludes necessarily the humanitarian consideration in some homes. But, after all, we must face the fact that running a nursing home is a business. This being the case, it is then obvious that the nursing home operator would like to have those patients who would require just a very minimum nursing care. I think, and I'm afraid to say, that we all know of instances where there are seriously ill patients who require a great amount of nursing care and who are unable to find a home, while at the same time patients with far less serious conditions have found the same home able to take them. Obviously, this creates a very severe disadvantage in our present programme of assistance for those in need of nursing care.

What we need them, in my opinion, is a grading of the various types of patients who will be admitted to the home. Presently we have simply two categories—acceptable or unacceptable. The patients are either funded or they do not qualify for the assistance rendered by extended care. That is simply not good enough. What we need then is a proven, rated acceptance, based on a medical examination.

Mr. Laughren: Is the member going to make his selective-breeding speech?

Mr. Parrott: I agree we put them away in institutions, other than the member for Sudbury East who certainly wouldn't qualify under any circumstances for that kind of care.

Mr. C. E. McIlveen (Oshawa): The two most provocative members in the House.

Mr. Parrott: The member for Oshawa and I would know where to put them.

Mr. Martel: They'd like to put us there.

Mr. Parrott: The medical examiner then would indicate the amount of care required by the patient and the nursing home operator would simply be reimbursed accordingly. I would like to put some emphasis on this point. I'm not going to propose what those figures should be, but I'm sure the ministry has that kind of information as to what the average cost of care is per day. What I am suggesting is that for the maximum-care patient the nursing home operator would receive a fee greater than he presently receives. For the minimum-care patients, he should receive perhaps less than he is presently receiving. It would certainly eliminate the selective screening that is now practised by some operators to fill their nursing homes with only minimum care patients.

We also know that patients coming into a home, who are frequently not too well at that time, deteriorate to a point where they become maximum-care patients. Even the smart operator, if you will, soon has his home at least partially filled with patients who require a great deal of care. The logical thing to do in such a situation is to try to get those patients into the chronic wards of our hospitals, not because the patient is going to improve with this hospital care, but because it doesn't make financial sense to have a patient in a nursing home when he or she requires maximum care, that is, as seen from the nursing home's point of view.

I'm not suggesting that this might be the typical approach of all operators, but there can be very little doubt, given the influence I have mentioned, these facts really do exist. Even if a nursing home operator wasn't in-

clined to operate on that basis, I think in fairness we should pay for patients who are receiving maximum care at a rate far greater than those who are receiving care of a minimum nature, and this we presently do not do. Taking chronic-care patients out of the hospital would alleviate the need for more hospital beds. When one looks at the figures, there is very little doubt this would be a logical financial way and a step toward the care of those who are aged and chronically ill.

In round figures, the present cost to the province is $9 per day for nursing home care whereas the cost for the same patient in a chronic hospital is a minimum of $35. Sometimes those chronic patients unfortunately are in active treatment classification and that can cost the province as much as $85 or more. The difference in the cost to the province is enormous to say the least, but nevertheless a factual possibility.

I know the minister is very anxious to realize greater use of our hospital facilities through extended use of home care. It seems to me that many patients could be taken to and from hospitals if they were in a nursing home and could still benefit from the facilities offered by the hospital.

I do not want to expound on that possibility at any length but I do know that many of our ambulance personnel are waiting on call when, indeed, they could be utilized to a far greater degree for transferring patients to hospitals and back again to their homes. It would increase the number of calls on our ambulance service but not the daily cost to any significant amount and the high cost of $100 per call could frequently be reduced.

To sum up for the minister, and again I wish he were here, I would very much like to consider the possibility of pro-rating the number of dollars paid to nursing homes and to relate that amount to the amount of care required by each individual patient.

In addition, there are many smaller nursing homes across this province which have decided they cannot continue and have closed or are in the process of closing. Rather than allow this to happen, perhaps there could be a new category and a new category of patient who, although ineligible perhaps for extended care under our present terms, does need some nursing care and would be able to go into these new homes. Perhaps we should call them rest homes. They would have fewer restrictions but they would care for people in this personalized way which I think is so important.

For instance, if the boarding rate in such an institution was $7 or $8 a day, similar to the rate now paid in homes for the aged, I am sure many homes would qualify. It concerns me greatly that we have these small homes in our communities, and I am sure in many communities, which are now forced to do other than be in the business of caring for the chronically ill. If the resident receives the old age pension plus his supplement, as he frequently would, there would be very little additional cost to this province in, perhaps, an amount equal to, for instance, a comfort allowance. I think we would then be able to offer them these rest homes which have been established along the traditional nursing home lines but which do not have all the facilities of today's nursing home standards.

In some cases these standards are excessive. For example, patients who are ambulatory require the companionship and the assistance of semi-trained personnel far more than they do the expertise of highly trained personnel. More important, they require the understanding of compassionate people. That is their prime need. I propose this as a method to reduce the number of people in our nursing homes and to prevent the closing of many good but very small nursing homes which find it impossible to bring their standards up to the present regulations.

Mr. Sargent: Change the regulations then.

Mr. Parrott: I think this is a better method. I expect that the medical fraternity would perhaps appreciate this kind of assistance, because many of their patients who would fit into this new category presently put great pressure on the position to overestimate the amount of care that he or she requires so that they will benefit from the programme. And yet the province is saddled with this extra expense and, I would suggest, needlessly.

With this above proposal we could allow the medical practitioner to fulfil his role in a logical method, merely to assess the condition of the patient and allow his judgement to be unclouded by the patient's need for financial assistance. Surely that must make a lot of sense. I think if one was in the position of judging the physical need, plus the financial need, it would be very easy to make a subjective appraisal whereby the patient's physical need would be overestimated simply to help him with his financial problems.

In that instance, I think we would then get a far more accurate appraisal of the patient's condition. If there were assistance available to all of the people of this province, and on a graduated basis, there certainly would be some who would be subsidized at today's rate of $9, some less. But the responsibility of whether or not we subsidize a person should not rest merely with the medical profession, but indeed should be contingent upon the severity of the patient's requirements.

I think everyone would have fewer complaints and we would be able to say—and I think this is most important—we would be able to say to the aged people of this province, "You will be cared for, and it will be paid on the basis of need." I would hope with the resources of this province that there is not a single aged person who could not or would not benefit from the care of people in smaller institutions who are dedicated to his total welfare.

I would like to turn to the problem of allocating nursing homes throughout the province. Again, if I could, I would say that I think Oxford is somewhat typical and perhaps serves as a good illustration. Within the county we have a quite sufficient number of beds, if you consider 3.5 per thousand the norm; but when one looks at the location and disposition of those beds, we are a long way from being satisfied.

I think the ministry has tried to look at certain geographical units to decide whether or not there is sufficient beds in that area. My submission is that they must do this with additional criteria. If the county is to be the unit, then there should be some ratio of overall beds per thousand within that county; and if 3.5 is the standard, I have no quarrel with that. However, within that unit there are certain larger areas, frequently medium-sized towns, which have no facilities at all.

Again, using the illustration of Oxford, there are plenty of beds in the county but only 10 in the city of Woodstock, with its population of 25,000. When one considers the need to have patients close to their families and their friends, then the distribution of those beds within the geographical area obviously becomes of paramount importance.

I would suggest, therefore, that although there has to be a reasonably large area considered in the overall estimation of the bed requirements, there should also be a minimum number in any town with a population of 10,000 or more. It is, in my mind, unacceptable to have a town in this province with a population of 10,000 and no nursing home beds.

Mr. Martel: I'll buy that. I have one municipality of 19,000 people that doesn't have one nursing home.

Mr. Sargent: This is one area that needs attention.

Mr. Parrott: Then the member will support it. What is frequently forgotten is that a town of 10,000 frequently has a very large surrounding area, is indeed frequently a town to which many retired people have moved and consequently the number of aged persons is extremely high.

Interjections by hon. members.

Mr. Parrott: So on the basis of the community itself you could perhaps justify only 25 or 30 beds, but when one considers the proportion of aged people in that community it might justify 40 or 50 beds.

May I illustrate a small community in my riding—and again it is typical—Tavistock. It has a very high percentage of its population over the age 65, and a very high percentage of nursing home beds. But there is some logic in this; it is a dormitory town. And if we had taken another community, which was essentially an industrial town, the need per thousand cannot be equated on the same basis. So here again we see the yardstick for the number of beds per thousand would be completely illogical to that town.

Granted we have to consider the numbers of an area that you choose as a unit, but I also think we have to look at two additional criteria for each community. They are, first, the percentage of the population which is over 65; and second, no community of any reasonable size should be without a nursing home facility, primarily because in each nursing home there are people who need the companionship of their friends, of their relatives, who are usually within a very short distance of that community—

Mr. Stokes: We have to go 160 miles in northern Ontario.

Mr. Parrott: And I find that unacceptable.

Mr. Stokes: We do too, but it matters not.

Mr. Deans: If my colleague introduced a bill along that line would the member support it?

Mr. Parrott: On these lines I would support it.

Mr. Deans: And would he let it go through second and third reading?

Mr. Parrott: I am not able to answer that question.

And frequently it is possible. I think it is most important that we recognized that the difference will vary from one part of this province to another, and that conditions are not the same. But a community of a certain size unconditionally requires nursing home beds and regardless of the number of people in that community to justify the per-bed ratio.

I think, Mr. Speaker, what I am trying to say to you is that we must, in the next few years, take very serious consideration of the distribution of beds. Simply saying that an area or a county has sufficient beds is not good enough. It has to be that major communities, regions, areas or whatever, have a certain minimum number of beds, and until we can come to that standard we should not rest.

Perhaps my last area of concern for nursing homes has been adequately covered by a speech that the minister gave. He said that regulations must be applied with common sense. I am afraid that that speech will have to be given on several occasions.

When I see the great importance certain people place on regulations and completely forget what the patient is all about, I am afraid we are in danger of missing the whole point of caring for the aged. We must not look after only their physical needs. And I am sure that the great physician of Canadian medicine, Sir William Osler, would be appalled at some of our neglect of human beings, even though their physical needs might be adequately cared for.

The great Dr. Osler, was, as you well know, an advocate of looking after the total patient, looking after his well-being first and his symptoms secondly. Perhaps that is somewhat an oversimplification, but I am sure many know what I am trying to say. Those of us who are involved in the care of patients should fully recognize how important it is to care for the total human, the great problem there is when you dehumanize and de-personalize a system.

And perhaps that brings me then full circle, for I feel there is no greater way of dehumanizing a home for the aged than allowing it to become too large. It might very well be terribly efficient, but unfortunately it is terribly sterile. And in this instance I do not suggest that sterility means a lack of micro-organisms in the corridors.

In short, I think this province has an excellent extended care programme and with minor changes it could become a model programme—one which must be continually humanized if we are to seek the real goals of this society. To simply care for the needs of our elderly citizens would really be no improvement over some other civilizations, which we think are so barbaric in the way that they deal with their people.

I, for one—and, I think, many of the people of the province—appreciate the great strides which have been made in the last few years for the care of aged citizens. I hope that the province will continue to reserve a high place on its list of priorities for the care of the aged in all of our communities.

Thank you very much, Mr. Speaker.

Interjections by hon members.

Mr. Speaker: The hon. member for Kent.

Mr. J. P. Spence (Kent): Mr. Speaker, it is a pleasure for me to take part in this debate. I must say, Mr. Speaker, this has been a long session. Many, many words have been spoken.

When the whip asked me to take part in this debate this afternoon, I couldn't refuse him, but I must say, Mr. Speaker, I know a budget speech is not too popular when the session is about to end.

I must say to you, Mr. Speaker, you have carried out your duties in a very capable manner this session.

Mr. Sargent: Don't lay it on too much.

Mr. T. P. Reid (Rainy River): Don't overdo it, now!

Mr. Spence: I must say you went through some very difficult spots. And I must say, Mr. Speaker, I wish to congratulate you on how you handled it. If I myself had been in that position, I couldn't have handled it.

Interjections by hon. members.

Mr. Sargent: Having said that!

Mr. Spence: Having said that.

Mr. S. B. Handleman (Carleton): Now comes the bad news!

Mr. Spence: I might say a few words in regard to agriculture. I don't think any of the Budget speakers this afternoon have said

anything about it, and, of course, that's one of my pet subjects.

An hon. member: Tell them about the fertilizer shortage.

Mr. Spence: That's right.

Mr. Stokes: Sock it to them.

Mr. Spence: The Minister of Agriculture and Food, Mr. Speaker, has recently expressed some satisfaction. For the first time in years, the farmers in this province have reason to be optimistic about the prices of their products and are receiving a fair return for their labours. Certainly, the agriculture industry has taken a turn in the right direction. Prices to the farmers have improved and the net return from agriculture is encouraging.

Many farmers have been giving consideration to purchasing new equipment to improve the effieciency of their farm operations. However, they have found that the demand for such equipment far outstrips the supply, and the expense is very high. Operating costs for farms have skyrocketed. One farmer informed me recently that the price for the same analysis of fertilizer he bought in the month of September, is now $19 a ton higher than at that time.

There is also a great shortage of fertilizer, I believe, in the province. And conern has been expressed to me on several occasions that fertilizer is being exported to the United States and to the Far East, causing a shortage in the Province of Ontario.

There also is a world-wide shortage of drain tile. Correct drainage is, of course, vital to the agriculture industry. And here, again, there is a severe shortage. In my own area, several tile yards are not able to keep up with the demand.

Cement tile manufacturers have also found it impossible to keep up with the demand. There is also a widespread shortage of plastic suitable for the production of drainage tile. Plastic tile was 10 cents a lineal foot in the spring and it is now 17½ cents, when it is available.

The cost of farm labour has also increased tremendously and very little farm help is available to the farmers.

Another increase in prices which will hit the Ontario Hydro will increase its rates on Jan. 1, 1974. Last February, hydro used for farm purposes went up in price by 10 per cent and now a further 10 per cent increase has been announced. The two increases will mean a $1½ million increase in the cost of producing food which will have to be passed on to the consumers.

Certainly the past year has been a comparatively good one for agriculture but in the past the low return for farmers has discouraged many. We learn that about 13 per cent of the farmers have left the industry in Canada. Frequently farms are bought by people living in our urban areas who wish to have a place in the country where their families can relax during the vacations and on the weekends. This, of course, is a wonderful idea for the people in question but means that many acres of rich agricultural land will lie fallow and will continue to do so for years to come.

Today the majority of people are sharply aware of the importance of agriculture and the production of food. Ask any housewife. Accusations flash back and forth about whose fault it is that food prices are so high, but no one has come up with a solution. International organizations several times sounded warnings that not only are food prices likely to continue to rise but the future will almost certainly bring actual and acute shortages of food throughout the world. The time to do something about this situation is not in the future but now before the situation reaches a crisis.

Being a provincial Legislature we must concern ourselves with agriculture in Ontario. This government must take steps to prevent further decay of the agricultural industry by taking action to alleviate shortages of material, labour and financing, and by improving transportation and distribution facilities.

Mr. Speaker, if the farmers of this province are given a fair return financially for their labour and investment they will produce more food than we can use in this country and they will have a tremendous amount to export to other countries throughout the world. I am sure everyone will agree with me that food is the most essential product, first on the list of commodities.

Among measures which must be taken is that every effort must be made to attract our young people to the agriculture industry as a career. We have heard considerable discussions about the difficulties of our young people in this province, who continue their studies at universities and colleges, but find the job opportunities available to them are in many cases not in keeping with their qualifications.

In fact, I understand there is a rather bitter joke going around, a slogan that employers should help the handicapped and

hire the PhDs. Many students in our high schools are wondering whether it is worth their while to continue with higher education if they are likely to discover, after years of hard work, that a university degree is not a great asset on the employment market.

I think now is the time to improve and enlarge programmes in our education system to train people in skilled trades such as carpentry, plumbing, bricklaying and, of course, agriculture, too.

Throughout this province there is a tremendous shortage of carpenters, plumbers, bricklayers and so forth. Surely much could be done to attract students in these fields. I would have thought, with all the technology available in the provincial government, that it would be possible to predict, with a certain degree of accuracy, what job opportunities are likely to be available, for instance, five years hence, so the students may be valuable to them and to the community steered into training that will be most generally.

The Ontario education system is costing our taxpayers a great deal of money, and surely something can be done to ensure the greatest possible benefit is derived from this expensive system by all concerned. Students should be able to obtain training or skills which will provide them with the best possible career opportunities, and the community in general should benefit because skilled people are available to provide services in those fields of endeavour which at this time are experiencing a great dearth of qualified personnel.

When the county school boards were put into effect, we were informed that reorganization would greatly improve the education system, but for my part I would say that never in my life have I heard so many complaints about the educational system. Never have so many parents come to me worried about the money spent on frills and extravagance in many of our schools.

Mr. R. G. Eaton (Middlesex South): The member doesn't agree with his leader about taking the ceilings off then?

Mr. Spence: Maybe not. This is my own view.

Mr. Eaton: Does the member not agree with the blank cheques his leader wants to pass out?

Mr. Spence: The member for Middlesex South must have misunderstood him.

Mr. E. R. Good (Waterloo North): He doesn't understand the lots of money for frills.

Mr. Spence: At the same time, it would seem, education standards are slipping a little lower. I never thought I would see the day when teachers seriously considered going on strike. It seems that the administrators have become more important than the educators and that the question of improving the levels of education is being lost in the shuffle.

Today, as never before, the schools have available very sophisticated and modern equipment, projectors, television and scientific equipment, and yet the standard of basic education achieved by many of our young people is causing great concern to parents and to the public generally.

Another question about which people in my riding are anxious is regional government. I would say that the majority of the people are against this principle, preferring that the municipalities retain control of many important facilities, such as sewage systems, water supplies and so forth.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): They have got them.

Mr. Spence: Many people are actually fearful of the provincial government's apparent desire to concentrate more and more power in Queen's Park, and they feel that regional government is yet another manifestation of this centralization policy.

Regional government would mean that the local initiative of councillors to really represent their people would be destroyed, and such schemes should not be implemented unless wanted by the public as represented by the local elected officials. One complaint is that the city council members could outvote the rural council members, in effect, turning the region into a city state.

I think the government is confusing regional planning and development with local government. People should be able to elect their own political leaders, who would be responsible for local municipal services with the provincial government's assistance where necessary.

The government's approach to regional government has been to utilize the services of the so-called experts, claiming to know just how the job should be done. Public relations men have then rammed regional government down the throats of the unwilling or

even the disinterested taxpayers in areas concerned.

I think planning at the local or regional level should require an official plan and zoning bylaws covering the whole area with the government giving planning authority to the local area. Decisions would not be made by the Treasurer of Ontario and would not be subject to a veto or approval by any centralized authority. This, of course, would certainly prevent delays which have held up development of housing divisions and other proposals for months and even years.

Municipal costs are increasing constantly and drastically. Many smaller municipalities are experiencing great difficulty, being restricted to property tax and provincial grants. Obviously, the municipal tax base must be changed; some relief must be provided for the taxpayers on fixed incomes. The tax burden could be eased by having the province pay 80 per cent of the cost of education and the provincial grants should be made unconditional.

Since the first regional government was imposed in 1969, under the Regional Municipal Grants Act some $90 million in special funds has been paid out to the regional governments. These adjustment grants are scheduled to run out in five years, and the government has never given any answers to the question as to how the system will work at that time. Regional government is expensive. It is a new burden on the local taxpayers. It almost invariably leads to unnecessary duplication, as is the case with the two-tier system for police work.

It seems ridiculous that the rural areas, which are so well and effectively policed by the Ontario Provincial Police must now, according to Queen's Park, put themselves under a region-wide police commission with all it entails. It is a tremendous increase in the cost to local taxpayers in the rural areas. It would seem that the federal government could be asked for assistance to offset this high cost of policing in regions throughout the Province of Ontario, to relieve the cost on the already heavy burdened property owner.

The present Treasurer of the province has attempted to put a reasonable price on the imposition of a type of local government which has been decided at the centre. Of particular concern to the people is the proposition that the government would appoint the chairman of the regional government which would apparently give the government complete control. Many local councils have become disillusioned because they also believe that everything is presented to them completely prepared, cut and dried and they have no alternative but to accept measures which are put forward on behalf of the provincial government.

Mr. Sargent: It's a billion dollar snafu.

Mr. Spence: All over the province many of our local taxpayers have impressed their views on the parliamentary assistants to make it clear that neither one-tier or two-tier government is acceptable. The Treasurer has promised a moratorium to these people for a couple of years, for example, for the Hamilton-Wentworth group. However, in effect, there has been no such thing. Regional government has gone ahead in the hope that by means of supplementary grants it will withstand the complaints and criticisms.

The people have taken advantage of every opportunity through the media and through their local officials to express their views and these have not been adequately considered by this government. Serious consideration must be given to these opinions for the good of the people of Ontario.

The development of the Toronto-centred region continues, regardless of what happens elsewhere. We are proud of Toronto as the capital of the province, but people in other areas of this province, such as southwestern Ontario and northwestern Ontario, find that they must come to the Toronto region to find jobs because the government's planning or, rather, lack of planning, allows all significant development to take place in this one region. Because of the lack of a meaningful province-wide industrial strategy between 1970 and 1973, Toronto has two-thirds of the growth of transportation in Ontario; almost two-thirds of the trade employment growth, along with 92 per cent of the financial growth; 71 per cent of the growth in service and a little under 60 per cent of the employment growth of large Ontario companies. Of Ontario's population 53.3 per cent is in the Toronto-centred region.

In southwestern Ontario the St. Clair region has a strong agricultural, automotive and petro-chemical economic base. It is not a growing segment of the economy. In the design for the development of that region selected areas are chosen for development rather than directing major growth to the three large cities—Windsor, Chatham and Sarnia. Selected growth towns are Tilbury, Wallaceburg and Leamington. This is not acceptable to the people of other towns in the area, such as Blenheim, Ridgetown and

Dresden. There are also many villages which are in the process of installing systems, some of which are nearly completed, and municipalities have to incur considerable expense for installations of pollution control systems.

Some assistance to the tax base of these communities is desperately needed. Homeowners are suffering because of the increased burden of taxation, particularly people on fixed incomes and pensions and those who are in the low income bracket, who desperately need help in meeting the taxes on the homes for which they have worked all their lives.

Development of service industries would be of great assistance to these communities. My riding of Kent is a rich agricultural area producing many different crops and surely the products of that area should be processed in the local communities which would provide small industry to alleviate the tax burden and provide much needed local employment.

The lack of service industries affects the balance of the tax base. For example, a shopping centre-motel complex and reasonably priced housing would greatly equalize the situation for the average wage-earner. To offset the increase in expenses a cost-sharing programme with other area townships and towns is a possibility. For instance, if two or more municipalities worked together they could hire a full-time engineer as well as share equipment which would encourage a good working relationship with frequent communication between the municipalities involved.

Larger municipalities have better facilities such as hospitals, schools, arenas and libraries. Rural people can participate in these facilities by working together to obtain the best deal possible, perhaps with provincial assistance.

I feel I must once again protest the imposition of the seven per cent sales tax; the two per cent added will siphon $280 million out of the pockets of the people of the Province of Ontario. I hope I am correct. The Treasurer maintained when he brought in this increase that it would not cause hardship to the poor people of Ontario. However, this has not proved to be the case. I have received many complaints about this tax and the difficulties it is causing to people on limited incomes, particularly those who have growing facilities.

I have already questioned the Minister of Revenue (Mr. Grossman) about the tax on larger children's clothing and footwear, and I am hopeful that the review being carried out by the ministry in conjunction with the Ontario Research Foundation will result in some change in the legislation in this connection.

Another area of sales tax which requires review is that on building materials in this province. The federal government imposes a sales tax on building material and then the provincial government adds the seven per cent tax. In fact they are taxing a tax.

People considering building a home find the tax burdens impossible to bear. Materials for building homes are tremendously expensive and this double burden of tax on top of high prices is causing some great difficulty. The cost of homes is skyrocketing and the homes are sadly needed in Ontario. In these circumstances surely the Ontario government should look into the possibility of either reducing the sales tax on building materials or remove the tax all together.

Mr. Speaker: Would the hon. member find this a convenient spot to break his remarks? Is he almost finished?

Mr. Spence: Just a minute.

Mr. Speaker: Well, carry on.

Mr. Spence: Mr. Speaker, in closing I would like to express my strong support for the amendment proposed by my leader and the hon. member for Kitchener. This would provide a guaranteed income for senior citizens. It is time the Ontario government put an end to this practice of futile handouts to the old age pensioners and faced up to the serious difficulties which are experienced by people on a fixed income in Ontario. If this government would put aside party politics and adopt the amendment proposed by our party, it would give peace of mind to many of our senior citizens who are finding life a great struggle in these days of inflationary prices. Much of the prosperity enjoyed by the people of Ontario today is due to the hard work and sacrifice of its older citizens in the earlier periods of this province's development.

We hear complaints on all sides these days about people who are deliberately making themselves completely dependent on the taxpayers by means of unemployment and social security schemes. Our senior citizens on the other hand have a tremendous sense of pride and a determination to retain a degree of independence. They ask nothing more, Mr. Speaker, and surely they deserve nothing less.

Mr. Speaker: I presume we are going to continue with this order of business after the supper recess, therefore a motion to adjourn is not necessary. I will recognize the member for Wentworth first.

Mr. S. Lewis (Scarborough West): Mr. Speaker, may I ask the House leader, is he likely to have the budget debate go right through the evening? Is that his intention?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I would think so.

Mr. Lewis: Right, may I ask the House leader then just before we adjourn, will the House at any time be filled in on the behind-the-scenes discussions which have been initiated in regard to the teacher situation so that we too and the public may know what is being attempted this 11th hour? Either by way of saving face or by way of resolving the situation?

Hon. Mr. Winkler: Mr. Speaker, I don't know that any such things are taking place. However, I'm sure that if there is a statement in regard to government policy the Premier will be here to make it.

ROYAL ASSENT

Mr. Speaker: In the name of Her Majesty the Queen, the Honourable the Lieutenant Governor has been pleased to assent to certain bills in his chambers.

Clerk of the House: The following are the titles of bills to which His Honour has assented:

Bill 191, An Act to amend the Income Tax Act.

Bill 225, An Act to permit Municipalities to grant Assistance to Elderly Residents.

Bill 226, An Act to amend the Regional Municipality of Haldimand-Norfolk Act, 1973.

Bill 227, An Act to amend the Regional Municipality of York Act.

Bill 228, An Act to amend the Corporations Tax Act, 1972.

Bill 239, An Act to amend the Regional Municipality of Niagara Act.

Bill 243, An Act to amend the Ontario Municipal Employees' Retirement System Act.

Bill 244, An Act to amend the Regional Municipal Grants Act.

Bill 245, An Act to amend the Regional Municipality of Peel Act, 1973.

Bill 247, An Act to amend the Regional Municipality of Halton Act, 1973.

Bill 253, An Act to amend the Regional Municipality of Hamilton-Wentworth Act, 1973.

Bill 256, An Act to amend the Public Hospitals Act.

Bill 258, An Act to amend the Gift Tax Act.

Bill 259, An Act to amend the Public Commercial Vehicles Act.

Bill 260, An Act to amend the Highway Traffic Act.

Bill 264, An Act to amend the Planning Act.

Bill 265, An Act to amend the Ministry of Treasury, Economics and Intergovernmental Affairs Act, 1972.

Bill 266, An Act to amend the Municipal Unconditional Grants Act.

Bill 267, An Act to amend the Municipality of Metropolitan Toronto Act.

Bill 268, An Act to amend the Employment Standards Act.

Bill 269, An Act to amend the Workmen's Compensation Act.

Bill 270, An Act to amend the Game and Fish Act.

Bill 272, An Act to amend the Municipal Act.

Bill 273, An Act to amend the Regional Municipality of Durham Act, 1973.

It being 6 o'clock, p.m., the House took recess.

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No. 175



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Third Session of the Twenty-Ninth Legislature

Monday, December 17, 1973

Evening Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 17, 1973

The House resumed at 8 o'clock, p.m.

BUDGET DEBATE

Mr. Speaker: When we rose at 6 o'clock, I believe the hon. member for Wentworth was about to commence his remarks.

Mr. I. Deans (Wentworth): Thank you, Mr. Speaker.

Mr. R. F. Nixon (Leader of the Opposition): In the absence of the NDP.

Mr. Deans: That shows what side they are on tonight.

Mr. J. E. Stokes (Thunder Bay): That wasn't very nice.

Mr. R. F. Ruston (Essex-Kent): They have only one member present.

Interjections by hon. members.

Mr. Deans: Mr. Speaker, I told my colleagues they should take a moment or two over dinner since we missed part of it as a result of a meeting. I told them I would manage along without them for a few moments. My colleague from Thunder Bay who is with me is going to walk around the desks and thump the appropriate one from time to time.

I must confess, Mr. Speaker, when I came to Queen's Park this morning, although I did anticipate making a speech, I didn't anticipate making this speech. I thought I might just be speaking on the education bill and I made some preparation over the weekend on the off-chance that the government would call the bill and, in its inimitable fashion, the government fooled me.

It seems to be a practice of the government these days not to know exactly in which direction it is travelling at any given moment. In fact, as I look back to the introduction of the budget in the spring of the year, from that point to this we have gone from crisis to crisis, generally speaking because of a lack of direction of the government; on occasion because of taking a direction which is obviously counter to the wishes of the people of Ontario, and on occasion even counter to the Tory back-benchers themselves.

Mr. N. G. Leluk (Humber): Don't speak for us.

Mr. Deans: Well, someone has to speak for the member. I'm sorry, but the Tory back-benchers don't seem capable of speaking for themselves.

When I think back on the budget and the introduction of the budget, the Treasurer (Mr. White) at that point brought in what I thought, quite frankly, was a budget lacking in a number of different areas. Over the course of the months that have passed since then, I'm now absolutely convinced that what I thought was lacking was, in fact, lacking. The thing which was lacking most of all was an understanding of the needs of the people of this province.

At the time the budget was brought in it was obvious to most of us that the government hadn't even begun to recognize problems which existed in municipalities; that the government was incapable of recognizing the needs of the aged; that the government wasn't about to bring in legislative change which would provide housing in the Province of Ontario; that it didn't know anything about the ever-increasing cost of rental accommodation in the Province of Ontario; that in the major areas which people have to deal with—such as the cost of living, the provision of accommodation, the whole matter of the flood control so necessary to preserve many areas of the province and, as I said, the blight of the inner cities—this government seemed totally incapable of understanding what sorts of things might well be done.

I said so on the day the budget was brought in. I can well remember standing before the cameras and expressing my views of the budget and saying in almost the same words what I have said here tonight—that it was a traditional Tory budget. It didn't have anything innovative in it; it didn't show any new directions and it hasn't, since that day to this, taken, any turns for the better.

We have been faced in the Province of Ontario with the kinds of problems on which any government with any gumption at all could have brought forth ideas and new directions. We could have provided for the people of this province the kind of living standards never before seen across the Dominion of Canada. Jurisdictions with far less economic base than this have been able to produce far more, by way of social legislation aimed at meeting the needs of people, than this government has ever been able to do.

I want to speak tonight about two or three specific areas which are of concern to me and, I believe, of concern to other members of the House; I know they are of concern to many people in the constituency which I represent.

I want to speak for a moment or two about housing. I then want to talk about the cost of living. I want to talk to the government for a moment or two about child safety and its rather dismal record in that field; then a little bit about flood control. And, so as not to have the Minister of Agriculture and Food (Mr. Stewart) feel that I am losing my grip, just a moment or two about the fruit farmers. Then on something about which this government knows absolutely nothing—labour relations.

In the field of housing I was interested and appalled to read that the government had failed to send representatives to a conference held in Montreal—the Canadian Conference on Housing Rehabilitation—which was held on Nov. 11 of this year. The government of the Province of Ontario obviously felt, by virtue of not participating, that it knew all there was to know in the field of housing and it was either not prepared to share the information or didn't want to hear the views of anyone else in the country. I was interested in the comments of an associate professor of architecture at McGill, whose name is Mr. Baker. He said he was critical of Ontario, which he said was one of the few provinces that did not lend either financial or participatory support to the conference.

In a province such as this it makes sense that we should take every single advantage given to us to discuss the problems which are facing not only cities like Metropolitan Toronto and Hamilton and Windsor and Ottawa, but to compare the problems that we have with the problems that are faced by the other people across this nation, and to try to find common solutions.

A conference such as the one held in Montreal on Nov. 11 is the kind of conference at which this government ought to have been represented. Oh, I understand the government was holding a conference in Ontario at the time; that the government was trying, in its own inbred way, to come to grips with its own problems without the benefit of any outside expertise or, for that matter, without the benefit of any opportunity to share what it had learned and what others had learned.

I think one of the major failings of this government—and it's proving to be one of its major failings—is its inability to recognize there are others in the world who face problems not unlike those we face, and to take advantage of the expertise available outside our own jurisdiction in order to attempt to solve our own problems.

Mr. Stokes: They don't even consult among themselves.

Mr. Deans: Mr. Baker went on to say that housing not only encompasses family accommodation, but also an area devoted to amenities. He implied mini-parks, playing fields and "golden age" centres and day care are also a major part of any determination of housing. He said:

> By housing, we have come to mean not only the hearth and the home of the family, but the necessary extensions that provide enrichment beyond the threshold.

This government pays lip-service to that kind of thing. Repeatedly it talks about providing the additional help services necessary in a community to provide recreational and other needs of the people who live in the community. But unfortunately, for some reason which totally escapes me, the government seems incapable of putting the grand things which it talks about into practice.

There have been reports and recommendations made over the years; many of them bearing heavily on the municipality from which I happen to come and of which I represent a portion. These reports have shown the need for a great deal more involvement by the federal, provincial and municipal governments in providing serviced land, and in addition to that, in ensuring with the provision of the serviced land that there can be the proper kinds of recreational potential and facilities made available to people. This government, though as I say it pays significant lip-service to it, seems totally incapable of doing it.

The government has to recognize, to begin with, that we will not be able to meet the housing needs of the Province of Ontario from the private marketplace. We will not

be able to provide a sufficient number of houses at a cost which the average person can afford in the Province of Ontario in the private marketplace. We will not even be able to provide housing which will enable the vast majority of our citizens to participate in the purchase of it in the private marketplace.

We've reached a point in the Province of Ontario, where in spite of earning an average wage, where in spite of working at a better-than-average job, and where in spite of the best intentions and most frugal efforts of the individuals of this province, it is becoming extremely difficult for people to purchase accommodation. We've reached a point in the Province of Ontario where the children of the province, if they were to work in the same job as their parents now work in, can look forward to the very real prospect of not being able to buy the house in which their parents live. That is a blight on the record of the government of Ontario.

When I think that if my children were to go into the civil service, as I did, and if they were to work in the job which I worked at prior to being elected, and no doubt will work at after I am defeated or leave this House, they couldn't afford to go into the free marketplace and buy the house that we now live in, because they could never save the down payment and because they could never make the payments on the pay that they would be earning, then I think that there is something drastically wrong with the housing policies in the Province of Ontario.

When I see the cost of raw land rising by leaps and bounds every day of the week, and I see young people living in accommodation which is totally unfit for the raising of families, then there is something wrong with the housing policies of the Province of Ontario.

When I see young people being forced into apartments and paying exorbitant rents far in excess of what they can afford, thereby eliminating the possibility of their being able to save down payments, thereby eliminating the possibility of their being able to own a home of their own, then there is something drastically wrong with the housing policies of the Province of Ontario.

When I see elderly people living in accommodation when they can't afford to pay the taxes after living there for an entire lifetime, and I see them, on the meagre pension allowances that they are able to get in this province, having to put out a substantial portion, in some instances up to 30, 40 and 50 per cent of their total income, on taxes in order to meet their commitment to maintain their properties—either that, or sign a lien which can be taken up by the government upon death and which most elderly people are very much against—when I see that, then I have to believe that there is something wrong with the housing policies of the Province of Ontario.

Mr. Stokes: No commitment.

Mr. Deans: When I walk around in my riding and I see vast tracts of land that have been owned for a considerable period of time, almost 25 years in some instances, being sold today in the marketplace for the exorbitant prices which the developers insist must be met, even though they were purchased by this government and the federal government at sums far, far lower than today's market price—in some instances as little as $100 an acre—and when I see this government going out and selling those lots to people at today's market price in order to shore up the private developer, then I say there is something wrong with the housing policies of the government of Ontario.

I must tell the House that in this province there is no shortage of land. It's not a shortage of land that causes us our problems. The problems in the Province of Ontario is the inability of this government to come to grips with land banking and to come to grips with the financing necessary in order to provide serviced land in sufficient quantity in order that people can take advantage of it and thereby drive the prices down. There is absolutely no question that in this province at this time there is an opportunity for the government to acquire in sufficient quantities the land necessary to provide a home for each and every person who needs it, and not only that, but to provide it at a price that they can afford. When I see people paying $10,000, $12,000, $15,000 for a building lot, then I say to myself and I say to you, Mr. Speaker, that there is something wrong with the housing policies in the Province of Ontario.

It is time, in fact it is long past time, when this government should be investing a substantial portion of its income in acquiring land for future generations—but not only that, in acquiring land which may well have to be subsidized. I recognize, having left the market so free, it may well have to be subsidized at this point in order to drive accommodation prices down to a level that people can afford on the incomes they have.

There is a blight on the government simply because of its inability to come to grips with this particular problem. Housing is one of the

three—perhaps four—essential things in life. If we cannot afford to provide shelter for people in this province at a cost which they can afford, then we have failed as a government. When I say "we" I mean "you" because, after all, I'm not able to have the input into the government that the members opposite have.

When we cannot provide accommodation in this province for the people of this province, the wage earners of this province who earn in the $6,000 and $7,000 a-year-bracket, when we cannot provide adequate accommodation for the many hundreds of thousands who fall below that level at a cost that they can afford, and when we have difficulty providing accommodation even for those in the $10,000-a-year bracket, then there is something drastically wrong with the housing policies of the Province of Ontario.

There are some on the government benches who might like to say that it's not all in the cost of land, and obviously they would be correct. There are, of course, other factors that come into whether or not we're going to be able to provide housing. There are obviously going to be people in the province who will be unable to own a home of their own simply because they will never earn a sufficient amount of money in order to meet the payments, mortgage and otherwise.

That brings me to the second point. It's obvious in this province at this time that we can no longer rely on the kinds of mortgaging arrangements that we have had in the past in order to meet the needs of our people. We simply must move into the mortgage field as a province. We simply must exercise jurisdiction over those financial institutions which can or do fall within our scope.

We simply must expand the operations of things like the Province of Ontario Savings Office. We simply have to insist on taking in hand the insurance industry operating almost solely within the Province of Ontario, we simply have to take in hand the trust companies operating almost solely within the Province of Ontario; we must insist that there will be substantial sums of money made available through them at drastically reduced interest rates in order that those people in this province who are unable to earn the kind of money necessary to qualify under Central Mortgage and Housing Corp. and NHA standards will be able to have an accommodation adequate to meet their needs and within their means.

We can't opt out by saying that we don't have the power. We can't opt out by saying that it is too difficult, or they may not put their money in, or maybe they'll all get up and move. We're talking about a province which produced something in the order of 40 per cent of the total wealth of the country. We're talking about the purchasing power of the entire Province of Ontario. We're talking about the investment potential of the entire Province of Ontario.

We're talking about the earning capacity of the people of the Province of Ontario and we're talking about mobilizing the excess, whatever there is, that goes into those institutions now in order to ensure that a sufficient amount of that is channelled into home purchases and mortgages in order to ensure that people in this province have an opportunity to provide accommodation for themselves at a cost that they can afford.

Mr. M. Cassidy (Ottawa Centre): The member is doing a fine job.

Mr. P. D. Lawlor (Lakeshore): Carry on.

Mr. Deans: We applaud from time to time, and there's a reason for it, Mr. Speaker. The reason is that I always have difficulty finding my notes, and if somebody happens to applaud—it is taking me a long time to—

Mr. F. Drea (Scarborough Centre): Boy, it has been a long time.

Mr. Deans: I don't need any gratuitous comments from the member for Scarborough Centre.

I was interested in reading some statistics with regard to the cost of accommodation in the Province of Ontario, how it has risen over the years and the components which make up the cost of providing a home. I was looking at the consumer guide and the consumer price indexes and I find that property taxes from the year 1961 to the end of December, 1972—1961 being the base year—had gone from 100 to 164.5—a 64.5 per cent increase for property tax alone. Mortgage interests, of which I've just spoken about, went from the base of 100 in 1961 to 228.8 in December, 1972—a 128.8 per cent increase, just for the loan of money. That in itself bears out what I said about the dire necessity for moving swiftly into that field. In fact, it could be argued that it may even be too late. But let's hope not.

Repairs on properties have gone from 100 to 176.3 on the index—a 76.3 per cent increase; much of which is taken up, I might add, by the tremendously rising cost of materials; materials over which we should

have some control, but seem unable to exercise it. We have in the Province of Ontario and throughout the Dominion of Canada a wealth of the materials necessary in order to build houses; and yet for some reason which I don't understand—but which my colleague, the member for Thunder Bay, well understands—we have to bring in plywood from Taiwan. I don't for the life of me understand why it is that we should be importing plywood, of all things, from Taiwan into Ontario—when we grow the trees and we ship out the materials that make the plywood in the first place.

Prices of new homes in the Dominion of Canada have risen since 1961 from a base of 100 to 203.7 in December, 1972. In 11 years they have risen in price, though not in value, 103.7 per cent.

Insurance: Now, this is an interesting field, because this is where the money should be coming from, or at least part of it, in order to meet the mortgage commitments. Insurance has gone in the Dominion of Canada from 190 in 1961 to 255.2 in 1972 in the month of December.

I say to you, Mr. Speaker, that if there is such an increase in the cost of insurance, then there must be—as I will show a little later—an increase in the revenues, and thereby an increase in the profits. It would be entirely possible, I suggest, and I will show you how, for some of that money to have been turned back into lower-interest-rate mortgages for people who cannot afford what they are currently expected to pay.

In other words the total home ownership index has risen from a base of 100 to 197.3 in December, 1972, and has risen significantly since that point. It is evident that this almost 100 per cent increase in the cost of homes is not reflected in wages; it is reflected primarily in materials and in the cost of land. In fact, in 1961, again with a base of 100, land costs rose between then and 1972 by 87.6 per cent. Construction costs per square foot, with a base of 100, rose 56.1 per cent.

The actual construction costs, taking into account the size of the accommodations now being built in the province and in the Dominion of Canada, rose only 50.4 per cent—that's all—50.4 per cent. The total increase was 57.7 per cent for the actual production of the building. And it indicates to me that one of the old bogey men of the government—that it is rising costs of labour that are driving the prices up—is very much not in keeping with the statistics put out by the Dominion of Canada in its consumer review.

The fact is that the culprits for the increased costs are those who control the money through the mortgages, and those who control the land. If we come to grips with those two problems, we will very readily be able to come to grips with the problem of providing accommodation for people in this province.

I am also interested, Mr. Speaker, in seeing what can be done—as you know, and I have raised it many times—about controlling the cost of rental accommodation. It is now time in this province for us to develop a review board; a review board with the capacity to require that the increases in rental accommodation be justified in order that the people of this province, both old and young and those in between, will no longer have to suffer from the greed which presently permeates the rental accommodation industry in the Province of Ontario.

There is no question that in major metropolitan areas the syndicates which control the major apartment blocks have absolutely no concern for the welfare of the people who live within them. They have absolutely no concern over the proportion of their income it takes in order to provide them accommodation. If that concern is not expressed in the free marketplace, there is little question that the government of Ontario simply has an obligation—and ought to express a willingness—to move in to ensure there shall be no rent gouging in this province.

In spite of the fact that we recently rewrote the Landlord and Tenant Act, it may well be time for us to sit down, one with the other, and review the landlord-tenant legislation. The landlord-tenant legislation, in spite of our best efforts two or three years ago, doesn't seem to be fitting the needs of the people in the province today, particularly in the major metropolitan areas.

I'm sure those of us who worked very hard—my friend from Downsview (Mr. Singer), my colleague from Sarnia (Mr. Bullbrook), other colleagues in my own caucus from Riverdale (Mr. Renwick) and Lakeshore—who worked diligently and hard to bring about changes are dissatisfied with the application of the law in landlord and tenant relationships. It's now time for us to review it in order to protect the rights of those people who are becoming the majority of the new generation. They are being forced into apartment living as their only likely accommodation for their entire life span. Their protection is necessary and we have to un-

dertake to revise landlord and tenant legislation.

Beyond that, in the area of those people who are fortunate enough to be able to get a new home or to purchase a new home by having their wife work; by working at two jobs themselves; by struggling gainfully and manfully against all of the pressures of society in order to put together the money they need—those people require protection. They require protection in terms of the quality of the accommodation they are getting. They require protection against shoddy workmanship. They require protection against unfulfilled promises. They require protection against having to trudge into the courts every time they have a problem arise, in order to have builders in the Province of Ontario meet their obligations to provide a product of sufficient quality and standard to withstand the rigours of this province.

I'm shocked and appalled when I go around my constituency and I look into the homes being built. I sit down with the people who purchase them and I see the kind of downright shoddy workmanship which has gone into them. When one speaks to the builder or his agent—if one is lucky enough to find him—and attempts to have anything done, there is this inching operation which takes place. The least they can do is the most they will do. There is no pride in workmanship.

There is without question a general feeling of let the buyer beware. If the buyer is inexperienced; if the buyer is unable to be on the scene because the home is not yet built when he purchases it; if he is unable, because of commitments to his place of employment, to be on the scene day and night, watching each brick and each piece of wood put in place, he generally finds that things are done inadequately and there is no recourse for him but the courts. For the majority of people even the thought of going to court is a traumatic experience.

We have an obligation, and our obligation is to ensure that any builder in the Province of Ontario who is worth his salt in building here provides a guarantee—

Mr. J. E. Bullbrook (Sarnia): A warranty!

Mr. Deans: A warranty, I'm sorry—a warranty which ensures that minimum standards are met and which will be upheld by the Province of Ontario. If that isn't done, I say again, there is yet something wrong with the housing policies of the government of the Province of Ontario.

I visited a number of people—

Mr. V. M. Singer (Downsview): We agree with that.

Mr. Bullbrook: For a specific term, say a year.

Mr. Deans: Okay, a warranty for—no, I would say two years frankly, because a year often isn't long enough.

Mr. Drea: Oh, say five years, we are dealing with housing.

Mr. Bullbrook: Well, if the member wants it, five years.

Mr. Deans: Oh, here we go. Here we go. Now I will tell the members what I'll do. If they would like it to be five years, I'm prepared to make it five years. I'm not too tough to deal with in that regard, okay? I want—

Hon. A. Grossman (Minister of Revenue): Do I hear ten?

Mr. Deans: —the members to appreciate that. It's a concession I make to them and I understand that they would want it that way.

Now I can remember only—

Mr. Bullbrook: The member for Scarborough Centre is a little left wing.

Mr. Deans: A little left wing? A little left out.

I went to visit a family who had moved into Ontario Housing accommodation and who came to me desperately seeking my assistance. They were seeking it because much of the work that should have been done had not yet been completed. They were complaining about things like this.

When they opened the kitchen cupboard door the entire front of the cupboard came off. When they tried to close the bathroom door it swung right through. There was a wall that had a lie to it of at least 2 in.; in other words, it was out of straight by 2 in.

Mr. R. Haggerty (Welland South): Out of plumb.

Mr. Deans: Out of plumb, okay. There were cupboards that had a run on them, from the ceiling to the top of the cupboard, which was at least 2 in. lower at one end than the other.

Interjection by an hon. member.

Mr. Deans: But let me tell you, Mr. Speaker, worse than that—and they didn't

even realize it—in taking me down into the basement to show me some of the problems they had, I discovered that the builder hadn't even hooked up the flue pipe from the gas water heater over to the main chimney and that the fumes were going into the house.

Mr. Haggerty: And it was inspected too, wasn't it?

Mr. Deans: And it was inspected, supposedly.

Mr. Stokes: This is Ontario Housing?

Mr. Deans: This is Ontario Housing.

I went into another accommodation where a small child could have taken a shovel and shovelled up all the tiles, and it was a brand new house. I went into another where the windows didn't fit, another where the roof leaked. I can tell the members, on and on and on, about the problems that I've seen, and they all add up to one thing. They add up to the necessity to provide a warranty in the Province of Ontario to ensure that these kinds of things can't happen.

If this government is serious about its housing policy—if this government really means it when it says that it's interested in providing decent accommodation for people, then it might take into account some of the things that I've raised, because I believe that they form, if not the answer, certainly the basis for some kind of policy which would be practical and applicable in this province. There simply has to be a new look. I've seen very little by way of action from the new minister, and if he acts as speedily and with the degree of diligence with which his predecessor acted, we won't see another house built in the next 10 years.

Mr. Haggerty: Neither one of them could drive a nail.

Mr. Deans: I want them to turn to the second point; the second of eight that I want to raise tonight. That's the cost of living, Mr. Speaker.

The cost of living in the Province of Ontario has played a major part in depriving many families of other than the necessities of life. How many people have spoken to me in the last year or two and complained, some bitterly, some simply with a degree of despair, about the rising cost of living.

I can recall in 1967, in the first speech I ever made in this House—1968 I believe it was, I'm sorry—in the spring of 1968, in the first speech that I ever made in this House, suggesting that it might well be a useful exercise if the government were to institute a prices review board. I said at that time that this prices review board should have the capacity not only to require that prices be shown clearly on merchandise, but that where there were unusual price increases it have the capacity to require the producer or the merchant to justify the price on the label.

I suggested it wouldn't be enough simply to have the retailer tell the board that he was marking it up by an insignificant amount over that which he had to pay to the wholesaler, nor would it be enough for the wholesaler to say that I simply have to get a small markup from the person who produces the commodity for him, but rather that he would have to take—

Interjection by an hon. member.

Mr. Deans: I beg pardon, I didn't catch it. It is obviously one of the ministers—

Mr. Singer: There are not enough of them over there to pay any attention.

Mr. Deans: It is obviously one of his snarky remarks.

Hon. J. W. Snow (Minister of Government Services): I just said one would have thought this was Ottawa and the member for Wentworth was David Lewis—

Mr. Deans: No, this is what happens. Well, anyway let me take a drink.

Mr. Singer: One, two, three, four—

Mr. Stokes: There's no sense in talking to the minister. He is not even paying attention.

Mr. Singer: Sixteen—not very good.

Interjections by hon. members.

Mr. Deans: What I was saying was that—

An hon. member: Look at that front bench over there.

Interjections by hon. members.

Mr. E. Sargent (Grey-Bruce): Did he wake the minister up?

Mr. Cassidy: They are all trying to compensate for their positions on the teacher thing.

Mr. Deans: What I was saying, Mr. Speaker, was this, that—

Hon. Mr. Snow: I hope I didn't break the member's train of thought.

Mr. Deans: In this province—no, heavens, the minister didn't break my train of thought. I needed a drink of water, frankly. I appreciated his interjection—nonsensical though it was.

What I was saying was that this board would have to be empowered not only to look into the price as it appeared on the surface, but also to take a serious look at the conglomerate nature of the food processing and food production field. That it was necessary in this province for us to understand the very close-knit family relationship which existed within the likes of Weston. That it was a requirement in this province that we understand the very close relationship, right from the farm gate to the retailer in Dominion stores and the other major producers and sellers of food stuffs in this province.

The setting up of this committee would serve that end. If we had done it back in 1968, I feel sure that the price increases which we have seen from that point to now, and which have been exhorbitant in the last year-and-a-half, might well have been controlled. It might have been a little easier for the people of the province to make ends meet if we had taken the kinds of steps and initiatives that were suggested back at that time.

Now, the consumer price index for food at home, which reflects the changes in the prices of food in the supermarkets, increased 16.2 per cent between August of 1972 and August of 1973. This means that for a basket of groceries that might have cost $25 last summer, you are now paying more than $29.

During the last year, some pretty basic foodstuffs took extraordinary increases in prices. Milk, from July of 1972 to July of 1973, rose 12.5 per cent; eggs, 43.2 per cent; steak, sirloin brand for those who happen to eat steak—I can't afford it personally—but it went up 15.95 per cent; and coffee rose 14.5 per cent—just to name a few things that people buy. They don't all buy steak, obviously, but they buy the other things.

Mr. R. G. Eaton (Middlesex South): Why not look at it over 10 years?

Mr. Deans: And if you thought that you could avoid the high cost of meat by filling up on starches, the price of potatoes increased by 90.1 per cent. It's claimed by some that the major cause of rising food prices is a world-wide shortage of basic foodstuffs and it can only be solved by increased production of agricultural products, and to some extent that may well be so. The more we produce, obviously, the cheaper the commodity ought to be. We understand that, although that doesn't seem to work. Because in times when we produce in sufficient quantity we seem to dump it away, as has happened a number of times.

Mr. Stokes: The government pays farmers not to produce.

Mr. Deans: Although that appears on the surface to produce part of the answer, it should be recognized that it is only part of the answer, and a solution will not likely be brought about by the policies of this government. However, there is reason to believe that there are some hidden costs in the middle of the third chain from the farmer to the consumer that inflate the prices of the products on the supermarket shelves and add nothing of real value to the products. These hidden costs consist of deceptive packaging, phoney advertising, promotional gimmicks, short-weighing, management inefficiencies, monopoly price gouging and excess profits. It is especially disturbing to read in the daily press reports of increased prices and the hardships they cause, and then turn to the business pages and see how the profits of the major food companies have never been better.

Mr. Eaton: Like Loblaw's.

Mr. Deans: For instance, the Becker Milk Co. Ltd. made 63.1 per cent more profit in 1972 than in 1971. Canada Packers increased profit by 39.9 per cent from 1971 to 1972. Canada Safeway profit was up 41.6 per cent in 1972 over 1971. When Dominion Stores talk about their profits, they talk about them in very nebulous terms. The truth of the matter is that in the 13 weeks prior to June 16, 1973, their profit was up 92.4 per cent over the same period in the year before. Steinberg's 1972 profits were up 58.2 per cent over 1971; and George Weston, one of the largest food conglomerates and to which I alluded a moment ago, made 63 per cent more profit in the six months ending Aug. 3, 1973, than in the same period in 1972.

In fact, the food processing industry averaged 56 per cent higher profit in the first half of this year than last year, while all corporate profits averaged only 34 per cent higher. At a time when the workers were barely even keeping up with the cost of living in their wage increases, and when those on fixed incomes were suffering from a devastating erosion of their already low

standard of living, it seems disgraceful that reports appear almost daily in the business sections of the major newspapers celebrating increased profits for food companies and others.

I want to point to today's newspaper, because in today's newspaper the trend continues. I quote to you, Mr. Speaker, from the Globe and Mail. I'm sorry, it is not today's, it is Saturday's edition; Dec. 15, 1973. The following categories are listed: banks, percentage increase this year over last 13.7 per cent; base metals, percentage increase this year over last 220.4 per cent; beverages, percentage increase this year over last 20 per cent; chemicals, percentage increase this year over last 33.6 per cent; communications, percentage increase this year over last 22.9 per cent.

Construction and materials, which I spoke about earlier with regard to housing, increased 51.1 per cent; food processing increased 57.4 per cent this year over last. In general manufacturing, the increase was 41.5 per cent; in golds the increase was 129 per cent and in industrial mines the increase was 108.1 per cent.

Mr. Sargent: And the politicians pay it.

Mr. Deans: In merchandising, which was the only single area to show a decrease, the decrease this year over the appropriate period last year was 15.3 per cent. I hasten to point out that even in merchandising in the last nine months there has been an increase. The decrease is not as significant as it was previously, I should put it that way.

And we go on: Miscellaneous financial increased 9.5 per cent; miscellaneous industrial increased 32.9 per cent; oil refining increased 37.8 per cent; paper and forest industries increased 186.2 per cent and pipeline industries increased 16 per cent. In real estate, the increase is 58.7 per cent. In steel, the increase is 31.5 per cent. In transportation, the increase is 32.8 per cent. In trust and loan companies, the increase over last year is 10.4 per cent. In utilities, the increase is 4.4 per cent. In western oils, there is a 37.5 per cent increase. There is a substantial increase in all sectors but one. The increase on average is 41 per cent—and I'm talking about the profits in each of those sectors.

Mr. P. J. Yakabuski (Renfrew South): Shame.

Mr. Deans: In each and every year in the Province of Ontario, we have seen increased profits at a time when prices are being increased, when the purchasing power of the individual is being eroded, when the elderly are having an extremely difficult time making ends meet, when the working poor are hardly able to make it, when we have a minimum wage far below what is required, when we have social and family service benefits that don't even begin to meet the needs. Yet at a time when everybody is being told to tighten their belts, that corporate profits are up by an average of 41 per cent, with extremely substantial increases in many of the sectors.

Mr. Yakabuski: Absolutely shameful; that's what it is.

Mr. Deans: And that rests heavily on the government of Ontario, because they are the people who fail to act. They may want to pass the buck. They may say that the Liberals in Ottawa should have done something. They may say that it is not within their jurisdiction in some instances. They may even say their philosophy is that the corporations deserve what they can get out of the marketplace and damn the people. They might say that if they were honest. But they are not.

The average wage increase for all workers from 1971 to 1972 in Canada was 7.9 per cent and in Ontario it was 7.6 per cent; and from 1972 to 1973 in Canada it was 8.4 per cent. That is the average increase in wages for all workers in the province, organized and unorganized. The average increase in July, 1973, was 8.4 per cent over the same month a year earlier.

When one measures that over and against the statistics I have just put on the record, it is extremely difficult for me to imagine there is equity and fairness in the marketplace. It puts a rather large hole in the often sung song of the Tory government, that it is wages and not prices that are forcing us into these inflationary spirals.

One might ask, legitimately, what this government intends to do. Because when they have a majority the size of theirs, they have an obligation to deal as fairly as possible with the people over whom they govern. They have an obligation to ensure that the standard of living of those people within their jurisdiction is not eroded by greed and by usury.

There is an obligation on this government to answer clearly to the people of the Province of Ontario what they intend to do to ensure there will be no further gouging, there will be no further unnecessary increases in price, there will be no necessity for people to have to cut back on the basics because

of a lack of action on the part of this government.

Having fulfilled the obligations which they have, if those are not sufficient they then can point the finger at whoever else may well have some jurisdictional responsibility. But until such time as they have reached the point where they have fulfilled each and every single opportunity and obligation open to them, then they shouldn't sit in the House and stand on the hustings and tell the people of this province that it is not within their jurisdiction to control whatever it is that is ailing the economy of Canada, and very much ailing the economy of the Province of Ontario.

The government of this province should do what it can. If they have done what they can, then no one can be critical of them because someone else hasn't done it, too. But, for goodness' sakes, don't ever try to point the finger at some other jurisdiction and say: "If only they had done it," because the responsibility is this government's.

The consumer price index for food in Canada, starting in the year 1961 of course from a base of 100, by October of this year had increased by 69.7 per cent. The increase between July and October was 16.8 per cent, July this year over July of last year was 8.5 per cent. The average increase annually from the year 1960 through the year 1971 was 9.3 per cent; and yet at this time, in the year, from that point last year to now the increase has been almost 17 per cent, which is almost twice the national average over the 10 or 11 preceding years.

The consumer index for food, as I said, has shown substantial increases. The consumer price index for several additional basic food items, other than those which I mentioned earlier, also bears some looking into. I said that in the case of milk it had risen substantially. The change from June, 1968, to July, 1973, is 30 per cent. Butter, in the same period, had risen 13.2 per cent; eggs 58.7 per cent; bacon 20.95 per cent; steak 46.9 per cent; bread 12.6 per cent and rising; coffee 18.3 per cent; canned soup and vegetables which many people use extensively, is one of those areas which has gone down. Thank God there is some bright light in the future. Potatoes, a considerable increase as I said before, 114.97 per cent; and carrots 41.2 per cent.

These are the staples of the majority of families in the Province of Ontario and the increases must be justified. There is no room in this province for people who are taking advantage of the wage earners of the Province of Ontario.

The farmers, one might say, are now beginning to get their share, and let me be one of those who say they are delighted that the farmers are finally beginning to get their share. Unfortunately, the farmer doesn't control the retail price. Unfortunately the farmer has very little say with regard to the price of his commodity, his food, his work at the retail level, or, for that matter at the wholesale level. The farmer is very much at the mercy of the conglomerates and the food chains for the price he can get at the farm gate for the commodities he has to sell.

The farmers are just now beginning to benefit from higher prices for their produce. The farm prices index for Canada increased from 126.4 in June, 1972, to 160.5 in June, 1973, which was the latest statistic I had at the time I prepared this. This was a 26.98 per cent increase, and it's long overdue considering that from 1961 it took the farmers 11 years, until June, 1972, to achieve a 26.4 per cent increase. I think what they have got at this particular point hardly even begins to make up what they didn't get during that 11-year period preceding it.

At the same time, though, and this is where they have lost, the retail consumer price index had increased 42.5 per cent. In Ontario, the farmers have done slightly better than the Canadian average and have enjoyed a 27.5 per cent increase in their prices during the last year, from June, 1972, to June, 1973.

Unfortunately, much of that gain has been substantially reduced by dramatic increases in the farmers' operating expenses, such as in farm machinery and seed and fertilizer, which we speak about fairly regularly these days here in the Legislature.

The farm input index for Canada, which measures the changes in these expenses, rose from 139 in the first quarter of 1972 to 153.2 in the first quarter of 1973, a 10.2 per cent increase. Eastern Canada farmers experienced a 12.4 per cent increase in costs during that period and the trend toward higher costs shows no sign of weakening. In the first three months of 1973, the farmers' costs rose 6.1 for Canada as a whole and 7.6 per cent for eastern Canadian farmers. The most significant increase in costs during the first quarter of 1973 took place in the price of livestock feed, an 18 per cent increase, and in feeder cattle, a 15.3 per cent increase, and in seed, 31.1 per cent.

Gordon Hill, president of the Ontario Federation of Agriculture has blamed much

of these increases on speculation futures by those not involved in agriculture. I must confess that is something my colleague from High Park (Mr. Shulman) knows more about than I do. For instance, the price for soya meal in livestock feed rose significantly from the selling price given to the original farmer and the cost to the livestock farmer, due purely to speculation on the commodities market. Some control in this field would surely reduce costs to the farmer and hence reduce prices, and would deprive only those investing in futures or profiteering from inflation. If the member for High Park loses, so be it.

Mr. Drea: I am glad to see somebody agrees with me.

Mr. Deans: I am interested in lower prices.

Mr. Drea: Good. I am glad to see somebody agrees with me.

Mr. Deans: Many farmers are not benefitting from the increased prices of their produce because of the exploitive contract arrangements that they must work out with the food processors.

Mr. Sargent: How does the member know? He is a city slicker. Who told him that?

Interjections by hon. members.

Hon. Mr. Grossman: The member for High Park says he is helping keep prices down.

Mr. Deans: This is especially difficult in the vegetable growing areas where companies sign contracts with farmers at fixed prices prior to the growing season. Where was that tiny squeaky voice I heard?

Hon. Mr. Grossman: Don't look around. None of the member's party are here. They are all gone.

Interjections by hon. members.

An hon. member: What member has a squeaky voice?

Mr. Deans: I don't know. I heard a squeaky voice from the rump and I was about to ask if there was a dispute.

Hon. Mr. Grossman: Don't knock it. They are the only audience the member has.

Mr. Sargent: He must talk about agriculture now. He is good at that, too.

Mr. Deans: That's okay. I am working on it.

Hon. Mr. Grossman: His own members have all gone. If he loses them, he is in trouble.

Interjections by hon. members.

Mr. Sargent: Ring-a-ding-ding.

Interjections by hon. members.

Mr. Lawlor: Oh, there's the squeaky voice!

Mr. Sargent: This guy's an authority on everything.

Hon. Mr. Snow: Is the member for Grey-Bruce going to speak tonight?

Interjections by hon. members.

Mr. Deans: If crops are short, the processor is able to increase his prices in response to demand. Because his plant operates at less than capacity, he is able to claim higher overhead costs. The farmer, by the same token, is locked into a fixed contract and receives no benefit from increased retail prices.

Mr. Drea: Why is the member for Oxford (Mr. Parrott) sitting over there?

Mr. Deans: If I may digress for a moment, Mr. Speaker, I know you wouldn't recognize if I was digressing or not because you weren't here before, I want to say to you I want to welcome the member for Oxford over into this caucus. He'll feel a bit out of place when we start dealing with policy—

Mr. D. J. Wiseman (Lanark): He just feels sorry for the member for Wentworth. This is the Christmas spirit.

Mr. Deans: —since he has nothing to fall back on by way of philosophy. Nevertheless, if he'd like to sit here in a more comfortable pew, he is welcome to.

Interjections by hon. members.

Mr. Drea: Oh, no.

Hon. Mr. Snow: He is supposed to have his feet on the desk when he sits in that seat.

Interjections by hon. members.

Hon. Mr. Grossman: He should take his coat off.

Mr. Drea: Okay, the member for Wentworth has only another hour to go.

Mr. Sargent: That was a good speech.

Mr. Deans: I haven't even got to my main point yet.

Interjections by hon. members.

Mr. Deans: Where am I? I am still at cost of living.

An example of the type of business practice I was talking about took place during the last year with potato farmers in the Maritimes. McCain Foods Ltd., a major New Brunswick potato processor, contracted with the farmers in March, 1972, for a fixed price—

Mr. Sargent: It's the same speech the member made in the spring.

Mr. Deans: —but in 1972 there was a major potato crop shortage and the prices for fresh potatoes at the retail level increased by 90.1 per cent. The farmers unfortunately received nothing of that dramatic increase in the retail price.

As well as that, the prices paid under these contracts have remained largely static. For example, the average price for beans was lower in 1972 than the five-year average, 1960 to 1964. BC carrots have shown no price increase in the last 12 years. Peas packed in BC increased slightly over one per cent a pound over 12 years. Unfortunately in many cases the farmers are forced to deal through fixed price contracts since food processors are the only purchasers to whom they can sell.

Over the past 20 years the farmers' share of the grocery dollar has been dwindling, while the marketing costs and profits have risen. In 1949, 60 per cent of the grocery dollar went to the farmer. In 1971, from the latest Statistics Canada figures, the farmers' share shrank to 37 per cent. Evidence, from a study carried out in the US by the Department of Agriculture, would indicate a further reduction; in 1972 they found that 66 per cent of $116.2 million spent on groceries in the US went to the middlemen, and their marketing costs and their profits.

There are some price increases that are inevitable, given the world situation which I mentioned before of food shortages and the rising operating costs to the farmer and the middleman. The figures and profitability contained in an Aug. 23 report on profit figures and rates of return for major food companies indicate the middle is more than just a good place to be in the case of the farmer and the consumer chain. There is some reason to believe many hidden costs in the middle—

An hon. member: A distended middle.

Mr. Deans: —inflate the price of the products on the supermarket shelves and are unjustified.

An hon. member: We should put it on a diet.

Mr. Deans: A study in the US by the US committee, the judiciary's subcommittee on anti-trust and monopoly in 1969, found more than 25 per cent of the consumer dollar purchased absolutely nothing of real value. It was taken up by deceptive packaging, phoney advertising, promotional gimmicks, short weighing, management inefficiencies and monopoly or oligopolistic pricing.

The report of the royal commission on consumer problems and inflation in the prairie provinces, which we're all familiar with, investigated many of those excesses and found excess capacity, defined as when the sales are not large enough to carry a firm to the point where its cost-per-unit sales are at a minimum, ranged from 32.3 per cent to 80.3 per cent in six groups of stores.

They found newspaper advertising by major chains had increased from 2.94 pages per week in the period 1952 to 1956, to 6.33 pages per week in the period 1962 to 1966. To anyone who wants to take a quick look through the dailies in Metropolitan Toronto it would indicate that there has been a substantial increase since then, and the cost of advertising in the major metropolitan dailies throughout the country is astronomical.

Dominion, for instance, is trumpeting its avowed policy of not changing the price on existing stocks. Well, it was trumpeting and I should say it. It trumpeted it very loudly not too many weeks ago. It trumpeted it all the way to court, but it found out that it's about—

Hon. Mr. Grossman: If the member really wants to filibuster, why doesn't he just read the phone book?

Mr. Deans: I would never filibuster with the minister in the House.

Mr. Sargent: He said read the phone book.

Mr. Lawlor: We're just trying to give the minister an opportunity to settle that dispute that he had out in the hall there.

Mr. Deans: Listen, I want to tell the minister that I have no more than another hour and a half, so he can just relax.

Mr. Drea: Exactly one hour and 23 minutes.

Hon. Mr. Grossman: That is what you call Parkinson's law, Mr. Speaker.

Mr. Deans: Okay, I just want the minister to understand that I didn't intend to keep the government here all night.

Mr. Stokes: Bring Bill 274 in and he will sit down in a minute.

Mr. Deans: If the government would like to bring in the teacher legislation, I would be delighted to adjourn the debate in order that we can get to grips with the major significant problem facing the people in this province at this point on this day.

Mr. Stokes: That's right. Exactly.

Hon. Mr. Grossman: Isn't the member glad I woke him up?

Mr. Lawlor: Bring it in now.

Mr. Deans: If the government would like to bring it in I have an equally important speech that I want to make on that.

Hon. Mr. Grossman: Equally important? It had better be better than this one.

Mr. Deans: And I want to tell the minister that if he thinks his butt hurts now, wait till I speak on the teacher legislation.

Hon. Mr. Grossman: That one over there is going to hurt.

Mr. Sargent: When does your book come out?

Mr. Deans: Not too long from now.

Mr. E. W. Martel (Sudbury East): It's at the printer's now.

Hon. Mr. Grossman: Think of the poor Speaker; he can't even heckle.

Mr. Deans: Mr. Speaker, I think it is grossly unfair that this cabinet minister should use his position of power and influence to heckle me.

Mr. Stokes: Withdraw Bill 274 and we can all go home.

Mr. Martel: All the political niceties are important; the principles aren't.

Mr. Drea: Is that why the member keeps his feet up?

Mr. Martel: That's right.

Mr. Deans: As I was saying, in any event, Dominion was spending considerable sums of money in order to tell everyone just how wonderful it was with regard to its not changing prices on existing stocks.

Mr. Drea: I've got some good flower books I can read.

Mr. Deans: They must have paid more than $6,000 to place full-page ads in the two major dailies in Toronto alone. The supermarkets enjoy expressing their advertising costs as a percentage of sales, so that the figures seem exceedingly low and not worth really worrying about, but Dominion alone, in the fiscal year ended in March, 1973, spent $6,738,000 on advertising and promotion.

Mr. Sargent: The member's not communicating.

Mr. Deans: I wonder how much that affected the consumer price of the commodities purchased in most stores. When added to the extravagant amounts spent by the other advertisers on equally false advertising, I wonder how much the consumer could have saved without all of this nonsense that appears throughout the Province of Ontario on every television set, on every radio, in every newspaper, about their policies which in fact, when tested, don't stand the test of honesty.

Mr. Sargent: By gosh, the price is right.

Interjections by hon. members.

Mr. Deans: If the member had listened, I just said that.

Hon. Mr. Grossman: The member for Wentworth is very depressing. Has he got any good news? Give us some good news.

Mr. Deans: I am coming to that.

Mr. Sargent: The member has lost his touch. He will be in the back row pretty soon if he keeps this up.

Mr. Deans: That's okay. I want to direct a question through the Speaker to the member for Grey-Bruce: Is he waiting to speak or something?

Mr. Sargent: I don't know. I couldn't keep up with this House.

Mr. Deans: Okay, I want to assure him that he couldn't.

One very serious consequence of the growth of the major food companies in Canada is the degree of monopoly which they now enjoy and the inherent power in this monopoly to set prices above competitive

levels. The five major chains in Ontario operate 24 per cent of the food stores and collect 85 per cent of every food dollar spent. The same report on consumer problems on the Prairies charged Canada Safeway and George Weston with possessing sufficient power to enable prices to rise above competitive levels, and recommended the two firms be investigated under the Combines Investigation Act. Such investigation never took place.

The George Weston empire has grown, and a very frightening stock battle took place earlier, with George Weston attempting to gain effective control of M. Loeb Ltd., who hold the wholesale franchise for IGA outlets as well as a number of allied food processing firms, transportation firms, wholesale and investment interests. Luckily, that bid was unsuccessful, but other mergers have taken place.

What's the effect of monopoly power on pricing policy? There is some reason to believe—

Mr. Drea: The member did better when he was reading it.

Mr. Deans: If the member for Scarborough Centre would listen and not talk, he would learn something.

Mr. Sargent: There should be extra pay when we have to listen to this.

Mr. Deans: There is also some reason to believe there is no real price competition between major chains, and the prices charged are determined by what the traffic will bear. When I made the charge publicly at a meeting not long ago that this was the case, it was admitted by major food chains that yes indeed they do in fact hire companies, the sole purpose of which is to go around and look at competitors' prices to make sure they are not charging too little.

Mr. Sargent: That's pretty old hat.

Mr. Deans: A spokesman of the Loblaw company informed the committee on trends in food prices in June of this year that a survey found that on a $100 shopping basket the greatest variation between the chains in Ontario was 60 cents—60 cents on $100 was the greatest variation.

Mr. Drea: Tell me, what's it like in Regina?

Mr. Eaton: What's the profit on that $100?

Mr. Deans: While the major chains are claiming lower prices and that they will not be undersold, such a small variation smacks of collusion, a suspicion further confirmed in a speech delivered by an advertising executive to the Canadian Grocery Distributors' Institute meeting in Toronto when he said, "So what's so bad about industry co-operation? After all, your competitors aren't your enemies but your consumers are." That was reported in the Financial Post of Feb. 17, 1973.

Mr. Sargent: Who said it?

Mr. Deans: Since the chains are not in competition there is no reason to improve store efficiency to lower prices. Defenders of the supermarkets' profits argue—

Mr. F. S. Miller (Muskoka): Come on.

Mr. Drea: Who said that?

Mr. Eaton: Sixty cents out of—

Mr. Deans: Will the members be quiet? They argue other things, too.

Mr. Drea: Who said this?

Mr. Deans: The defenders of the supermarkets' profits argue that if the combined profits were cut in half and the excess divided among Canadian customers it would work out to a negligible amount only per family. However, the structure of the industry is such that profits can be hidden in leasing firms which own the supermarket stores and which often have the same names on their boards as the supermarket company, but whose operations and profits are not consolidated with the supermarket in its profit statement.

Other supplying firms may also be partly controlled by the supermarket managers and their markups may be excessive but these profits would not show up in the supermarket statements unless the companies were actually owned outright by the supermarket.

Many of the things I have said might, in some intelligent people, bring about some fundamental questions. I don't expect it from the government but nevertheless I'll put them anyway. Many of the charges raised fundamental questions about the effect of monopolistic profit-motivated industry has on food prices.

Hon. Mr. Grossman: The member shouldn't insult us or he will be talking to nobody.

Mr. Deans: Previous recommendations for investigation under the Combines Investigation Act have been ignored. Beryl Plumptre,

God bless her, and the Prices Review Board show little inclination and have not any real power to rock the boat .

Wage and price controls are not as effective in the long run.

Mr. Martel: The States found that out.

Mr. Deans: The Manitoba government has moved to provide food price lists showing the gap between the farm price and the retail price so that consumers can judge for themselves. Ontario might follow suit.

Bob Ward, in Food for Thought, also pointed out the basic conflict of interest in the present federal and provincial departments of consumer and corporate affairs. If the consumer is industry's enemy, how can one minister adequately represent both sides? After all, it was industry's contribution to the Conservative and the Liberal parties which helped elect our good old Minister of Consumer and Commercial Relations (Mr. Clement), and our friend Herb Gray to office.

The Prices Review Board must represent the consumer and therefore must not stop at accepting the major chains' interpretations and justifications of the price increases. The board must be given the power to investigate thoroughly the real financial position of such companies to determine where the hidden profits occur. It is absolutely essential that the Prices Review Board, as representatives of the consumer in Canada, can roll back the prices where increases are unjustified. I offer to the government—as I did in 1968—as one of the ways to resolve the problem, the need to establish a meaningful prices review board in Ontario, representing as it does 40 per cent of the nation's wealth and considerably more of its purchasing power, in order to protect the citizens of this province. Such a board should have the kind of power I have just mentioned to investigate the problems which I have raised.

Let me say a word or two about the fruit industry because I have in my riding a rather substantial fruit industry which has caused me, from time to time, to wonder where the future lies with regard to fruit in the Province of Ontario.

First of all, over the course of seven years I have seen a tremendous erosion of the available land for fruit-growing purposes. I've seen farm after farm, tract of land after tract of land being lost to production of fruit and going, I suppose, into the bank of land held by developers in the Province of Ontario. I've seen very valuable land used for industrial purposes which, in fact, should have been preserved for fruit growing.

I've seen land used for other purposes—residential development—when there was other land available nearby which should have been and could have been developed, and which had a great deal less productivity in it than the land which was ultimately and finally redeveloped. I am concerned that we will, over the course of time and in the not-too-distant future, see the complete erosion of the Niagara Peninsula as a fruit-growing area.

I have expressed this concern a number of times in the Legislature. I have expressed it during the agricultural estimates. I have spoken about it on every occasion that I have been able to rise in an omnibus debate such as this—and I express it again.

There is no other jurisdiction in the world that would stand by and see such valuable farm land being put out of production. There is no other jurisdiction in the world that would stand by and watch while the best land with the most ability to produce became an asphalt jungle.

I say to the government that even although it may feel it's entirely possible that at some time in the future it will be able to develop other agricultural land in order to produce the foodstuffs produced in the peninsula, until such time as that is done it must take every step it can to ensure the valuable land in the peninsula currently used for the production of fruit is maintained.

There is a tremendous loss to Ontario and to Canada, both in real dollar terms now and in future dollar terms, if we allow the peninsula to disappear. There is also a far greater need—they produce more but they need more.

Mr. Eaton: How much less are they producing now than two years ago?

Mr. Deans: Even a person like the member should understand that. I can appreciate the denseness—

Mr. Eaton: How much less are they producing?

Mr. Deans: We are coming to it.

Mr. Drea: He's a farmer.

Mr. Deans: I know what he is.

Mr. J. Root (Wellington-Dufferin): The member wouldn't know.

Mr. Deans: Now, that was unkind.

Mr. Sargent: Mr. Speaker, on a point of order.

Mr. Lawlor: It is not a point of order, I assure you, Mr. Speaker.

Mr. Sargent: I know the member wanted a rest. This is a week from Christmas Eve, and we are sitting here listening to him talk about erosion of land in the farm area. If there is not enough business for the House to go on with, why don't we adjourn —and when the government is ready to bring in its budget legislation, let's go; but this is ridiculous us sitting here.

Hon. Mr. Grossman: He is entitled to speak.

An hon. member: Is there any place the member would rather be?

Mr. Sargent: I would like to have the House leader tell the House exactly what is going on—because it is completely unreal.

Hon. Mr. Grossman: Well, this is the budget.

Mr. Drea: We have got lots of speakers over here.

Mr. Sargent: But why do this to us? If the government doesn't have any business, then adjourn the House.

Mr. Drea: This is the budget debate; they want to speak.

Mr. Sargent: We would not have any budget debate if we weren't stalling for the government.

Hon. Mr. Grossman: Is the member suggesting that the budget debate is unimportant?

Mr. Sargent: Following through on what he said, will the minister not bring in the bill and we will go on with it? Will he not do that? Who is House leader over there?

Mr. Speaker: I am waiting for the point of order; it may come.

Mr. Sargent: The point of order, Mr. Speaker, is the fact that they have stalled in their negotiations with the teachers—

Mr. Speaker: I must say to the hon. member, it's a noble effort but it is really not a point of order.

Mr. Sargent: All right; then I will make a motion that the House adjourn at this point.

Mr. Deans: I didn't mind yielding to a point of order, but I am not yielding to a motion.

Mr. Sargent: That's always in order, Mr. Speaker, isn't it?

Mr. Speaker: Well, according to this session, it is.

Mr. Deans: On a point of order, it is only in order if the person who has the floor makes the motion, and it cannot be made on a point of order.

Mr. Speaker: That's quite right. The hon. member can't rise on a point of order.

Mr. Sargent: The member is right for once, sir.

Mr. Speaker: There is really no point of order.

Mr. Deans: I want to say to the member for Grey-Bruce, as part of my remarks, Mr. Speaker, that I can well understand his frustration. I felt the same sense of frustration when I was forced to rise and speak in the first place. I can appreciate how frustrated he is that the government is unable to order its business in such a way as to ensure we go through the proper procedures and get the right legislation before us.

Hon. Mr. Grossman: Is the member speaking off the cuff?

Mr. Deans: I'm speaking off the cuff.

Hon. Mr. Grossman: That is a long cuff, well frayed. I can tell him that.

Mr. Stokes: The minister thinks that's cute, doesn't he?

Mr. Deans: I do have a couple of notes, I must confess.

Mr. Stokes: I think the minister is completely irrelevant.

Mr. Deans: Let me read the members an article.

Mr. Stokes: I'm talking about him. I'm talking about his interjections.

Mr. Drea: Will the member for Thunder Bay look around? Where are his friends?

Mr. Stokes: They are looking after the affairs of the province.

Mr. Drea: I could say something on that but I won't.

Mr. Stokes: I didn't ask the member to.

Mr. Deans: That was unkind. We don't need any of those kinds of remarks around here, I'll have the member know.

Anyway, let me return, Mr. Speaker, to the concern I was expressing about the erosion of the fruit industry in the Province of Ontario. I want to quote to you, sir, because I know you are interested, although I also know that the government members and the member from Owen Sound are not.

Mr. Speaker: I am interested in rule 16, which says a member may not quote at length unnecessarily from any document.

Mr. Deans: I don't intend to.

Mr. Stokes: He never does.

Interjections by hon. members.

Mr. Deans: Mr. Speaker, I know you know I never quote at length; in fact I rarely quote at all. I want to give the government the benefit of this expert view.

Mr. Speaker: I certainly have no objection to a paragraph or two.

Mr. Deans: I'll just do a paragraph or two.

Mr. Martel: Did you object to the lengthy speeches being read today by the Tory members?

Mr. Speaker: Order.

Mr. Drea: The member for Sudbury East wasn't even here.

Mr. Martel: I was here. I sent the Speaker a note when it was occurring, which he read.

Interjection by an hon. member.

Mr. Deans: The member was complaining that I had nobody here. Okay; come on now, let's all listen for a while. Come on kids.

Mr. Eaton: Let's hope it's something worth listening to.

Mr. Speaker: Order.

Mr. Deans: Pay attention. Enough's enough. Either that or we are going to have to treat the members like spoiled kids and make them stand in the corner.

Mr. Martel: We're willing to let them quit.

Mr. Deans: It is an article entitled "Tender Fruit Industry seeks Government Help." It says:

> Indecision and controversy surround the future of the tender fruit industry in Ontario. "Are we going to go on processing Canadian tender fruit, cherries, peaches, pears, plums and prunes, or rely on fruit coming in from California?"

I want to stop at this point and make a comment. It is unfortunate that the member for Scarborough Centre doesn't appreciate the seriousness of this matter.

Mr. Stokes: Right.

Mr. Drea: I know more about that—

Mr. Deans: It is unfortunate that he thinks it amusing when the farmers of the Province of Ontario and particularly the Niagara Peninsula are crying for government help and he can do nothing but laugh. If he is incapable of understanding, why doesn't he go out somewhere and play by himself?

Mr. Drea: The people of the Niagara Peninsula don't know the member and the farmers don't vote for his party.

Mr. J. A. Renwick (Riverdale): Is the member on his preliminary remarks?

Mr. Stokes: He's just getting into them.

Mr. Renwick: Just getting into the preliminary remarks?

Mr. Deans: The question, Mr. Speaker, I'll put again because I want it to be in context. In quotes—

Mr. Drea: It's an intelligent kind of speech.

Mr. Deans: Has the member made a speech?

Mr. Drea: Yes.

Mr. Deans: Has he really? Why doesn't he ever speak about the legitimate concerns of the people of the province?

Mr. Speaker: The hon. member for Wentworth has the floor; he will please proceed with his speech.

Mr. Deans: I quote:

> "Are we going to go on processing Canadian tender fruit, cherries, peaches, pears, plums and prunes, or rely on fruit coming in from California?"

The question was posed by Doug Williams, the chairman of the Ontario Tender Fruit

Institute, at a meeting of the institute's directors and the press this week. He pointed out that the future of the industry would affect the employment and income of a large number of people, farmers, processors and even the women who work in fruit processing plants.

Mr. Drea: Say, how did the member's party vote on that in Ottawa when they took the tariffs off?

Mr. Deans: In Canada–

Mr. Eaton: Yes, did his party do anything to help when the Liberals took the tariffs off tender fruit? Did they? No.

Interjection by an hon. member.

Mr. Eaton: They supported the Liberals up there who did that.

Mr. Sargent: That is right.

Mr. Renwick: No, the member's information must be wrong. I think it was the Tories who supported them.

Mr. Deans: In fact, it was the Conservatives who voted with the government, but that's okay.

Mr. Renwick: It was the Conservatives and the Socreds who supported the government.

Mr. Eaton: One can't depend on the people who took that tariff off.

Interjections by hon. members.

Mr. Deans: I can't leave it; I haven't got started yet.

Mr. Eaton: And the NDP–

Mr. Renwick: Why doesn't the member let my colleague make his speech instead of interrupting him all the time?

Mr. Deans: They are really–

Mr. Renwick: He wants to get past the preliminary remarks and get into the meat of his speech to the assembly.

Mr. Deans: It is not only that, Mr. Speaker, but I do want to get my preliminary remarks out of the way by 10:30 so that I can make the major portion of my speech tomorrow.

Hon. Mr. Grossman: I thought this was a series.

Mr. Deans: I go on, sir, to quote from this:

> Mr. Sam Piot of Stoney Creek, a director of the institute and chairman of the Ontario Tender Fruit Marketing Board, speaking on behalf of the grower, said: "We aren't going to keep the food industry alive for the public to drive down the Niagara Peninsula and admire the blossoms on one Sunday each year, unless some agreement can be reached with the provincial and federal governments that temporary assistance in times of need when low-cost imports flood the market will be made available to Ontario tender fruit producers. The industry could cease to exist."

Mr. Eaton: And then the federal government took the–

Interjections by hon. members.

Mr. Deans: Now, I want to tell you, sir, that when I raised this matter first in 1968–

Mr. Drea: The member's party went along with the Liberals and removed the tariff.

Mr. Deans: –the guffaws that day were even louder, if you can imagine, than the idiotic laughter of the hon. member for Scarborough Centre just a moment ago. Do you know, Mr. Speaker, that when I raised this matter of extreme importance to my constituents in 1968, the Minister of Agriculture said it was ridiculous? He said nothing could be done. That is the Minister of Agriculture speaking.

When I pointed out that unless we maintained a viable food industry in the Province of Ontario we would have nothing to use as a lever against the import prices, which would automatically rise in the Province of Ontario, which would cost the consumer considerably more than he is currently paying, this government didn't even budge one inch to meet that requirement.

Mr. Eaton: The member didn't vote to oppose the tariff.

Mr. Deans: I can't vote against the tariff any more than the member for Middlesex South can. What is the matter with him?

Interjections by hon. members.

Mr. Eaton: The member didn't support those who took it off.

Hon. Mr. Grossman: What about Dave Lewis? He is running the government up there.

Mr. Eaton: Where are they? Where are they?

Interjections by hon. members.

Mr. Deans: When I put to this government that it had an obligation to ensure there was a subsidy available to those farmers during those periods when the fruit from the United States was in abundance and flooding the Ontario markets, and to ensure that our farmers in the peninsula didn't have to exist on middle and end-of-year prices, this government laughed. Well, now I am telling the government again, because it is 1973—

Mr. Sargent: Good for the member.

Mr. Deans: —and things are worse in 1973 than they were in 1968. I'm telling the government again that if it thinks it can get by in Ontario without the tender fruit industry of the Niagara Peninsula, then it should have the courage of its convictions and stand up and tell them.

Mr. Sargent: Stand up!

Mr. Eaton: I don't believe it, but apparently the federal NDP do.

Mr. Renwick: The federal NDP doesn't. The member's information is wrong. His information is wrong, why doesn't he accept it?

Mr. Deans: But if the government thinks, as I think, that this is an important and viable part of industry, necessary to the future of the province, necessary for the economy of the province, and necessary to ensure that the people of the province need never do without and pay exorbitant prices, then the government has the opportunity to act. I want to say further that if the federal government, with or without the Tory support, is prepared to do away with the tariffs and—

Interjections by hon. members.

Hon. Mr. Grossman: Support? Are the Tories supporting the government or are the NDP supporting the government?

Mr. Eaton: Who is keeping them alive in Ottawa?

Mr. Deans: If the federal government, in spite of the earnest pleadings of the NDP—

Interjections by hon. members.

Mr. Deans: —were to remove the tariffs then this government has an obligation to fill in that much needed area.

An hon. member: I'll bet.

An hon. member: Right on.

Mr. Deans: There is no point in looking at me and saying I should do it. It is entirely up to the government. It won the election. It is botching up the Province of Ontario's economy. It is selling the farmers down the river.

Interjections by hon. members.

Mr. G. Nixon (Dovercourt): What is the NDP doing?

Mr. Eaton: Strongest economy in the world.

Interjections by hon. members.

Mr. Deans: The government members are the people who are allowing the farmlands to be decimated and destroyed. They are the people who are failing to come up with a comprehensive farm policy and they, as the government, have the responsibility.

An hon. member: What do you think of that, Squeaky?

Mr. Stokes: Squeaky Eaton, what do you think of that?

Mr. Martel: Come on, tell us about that.

An hon. member: Yes, tell us about that, Squeaky.

Interjections by hon. members.

An hon. member: Do the Tories really think they have a farm policy?

Mr. Deans: I know, Mr. Speaker, that if you and I were to take a trip down the peninsula some day when you were—

Mr. E. M. Havrot (Timiskaming): Cruising down the river.

Mr. Deans: —in Hamilton and we were to speak to the farmers, they would tell you just as they tell me, and just as they have told the press—

Mr. Drea: The member can make a phone call.

Mr. Deans: —at this meeting that they held, that it is the government of Ontario which has the responsibility and the opportunity to assist them. It may not have the sole responsibility and there may be some argument over jurisdiction, but I said before when I spoke in the area of consumer prices, when I spoke in the area of housing, that until the government has fulfilled its obligations—

An hon. member: We have.

Mr. Deans: —and until it has met its commitments, it shouldn't point the finger at another jurisdiction. This government has the obligation, it has the opportunity, but it has not got the desire or the understanding of the needs.

Interjections by hon. members.

An hon. member: Having said that.

Mr. Deans: Having said that, I want now, Mr. Speaker, to turn to another matter which is of concern to me and I'll deal with it briefly since I only have 55 minutes left. I want, sir, to raise with you a problem that I have raised with the government a number of times. You will recall, I know, Mr. Speaker, when I raised with the Minister of Health (Mr. Potter) the—

Mr. Sargent: What does it cost an hour to run this House? The member probably spent about $200,000 in the last hour.

Mr. Deans: —problem of glue sniffing among young children. You will recall that I did, with assistance from the labour council in the city of Hamilton, acquire an LIP grant which we used for the purpose of investigating it.

Mr. Martel: Did the member ask the Minister without Portfolio (Mrs. Birch) if he could get it?

Mr. Deans: I was going to talk to the Minister without Portfolio for a moment. She and I—

Mr. Sargent: She is married.

Mr. Deans: I want to say to my colleague from Sudbury that the Minister without Portfolio and I are good friends.

Interjections by hon. members.

Mr. Deans: I don't know if the members of the House are familiar with it, but she and I stood outside the door of the chamber just two or three days ago when the teachers were gathered and we listened to the Minister of Education (Mr. Wells) talk to the teachers; in fact we even held hands for a moment.

An hon. member: The member has eminent good taste.

Mr. Deans: It was a pleasure, I might add.

Interjections by hon. members.

Mr. G. Nixon: That's a new line!

Mr. Deans: Nevertheless I want to tell you, Mr. Speaker, that—

Mr. Lawlor: Both of them were afraid of the Minister of Education.

Mr. Deans: No, it really wasn't that at all, but I'm not going to tell members how it happened, we'll have the Minister without Portfolio tell them.

Mr. Sargent: It just shows how bad things are.

Mr. Deans: I want to tell you, Mr. Speaker, that we conducted a survey into the prevalence of glue sniffing among young people in the city of Hamilton, and we found there was a considerable amount of this type of abuse going on within the community.

We also found, as we conducted the survey, that there were a great many of the smaller merchants who were extremely willing to take part in a programme to ensure youngsters were not able to get the kinds of glues and solvents they needed and wanted for sniffing purposes.

I am reluctant to tell the members, but there were also some of the merchants in the community who didn't give a damn about the children, who were prepared to sell in any quantity anything that was needed, although they knew full well what the children were using it for. They were prepared to see them destroyed physically and mentally in the process.

Because of that I went to both the federal and provincial governments and I asked that they institute a programme, a twofold programme: one, to ban the sale, in the Province of Ontario, of commodities, solvents and glues, which contain ingredients which lend themselves to sniffing and which were readily available in small quanitities; secondly, I pointed out sufficient substitutes were already available to people who were in the business of making models, model airplanes and—

Interjections by hon. members.

Mr. Deans: Yes, it is true; and I have used them. There are substitutes available which could take the place of the product; in Canada generally put out by LePage's, although they are made by others, too.

Frankly, I just sense it is time we got our priorities right in child safety. It is time we set our prioirties on balance and recognize that if we can save the minds and lives of a few young people, that if that inconveniences some of the companies and forces them to engage in additional research, so be it.

There is the opportunity to add such things as oil of mustard and other commodities which have a nauseating quality, which cause nausea in children and which can, in fact, eliminate for many the desire to use the solvents and glues.

We should as a government make it mandatory in the province that that be applied for every single solvent or glue that is available for which it can be applied. We should also take a serious look at what we can do to strengthen the social agencies which deal with these children in order that they can bring home more forcefully the damage that's being done to these kids.

When a merchant sells a product to a child, knowing full well what that product is going to be used for, and does it willingly and doesn't even have a conscience about it, then I for one would take away his business licence. I say to the government that nearly two years have gone by. It's now time for a policy to be brought in by this government through the Ministry of Health in order to ensure that the safety of those kids becomes a paramount consideration. If this isn't done, then we'll continue to read in the newspapers, as I read just recently again, of another case of a youngster who died from sniffing a solvent, and the judge who sat in the family court suggested a ban on the sale of the solvents.

That may not be too practical a suggestion, but there are other suggestions. There are many learned people in the province who share the concern that I have for the future well-being and the possibility of growth of these youngsters. Unless something is done about it, I want to assure the House that there are many hundreds of youngsters who are going to suffer considerably as a result of negligence on the part of the government of Ontario.

It not only is true of glue sniffing, but it's true of a number of different areas of toys that could and should be more closely checked before they're sold in the province. They include soft toys for small children with eyes—toys' eyes, not children's eyes—that come out with extremely long nail-like holders in the back that could cause children considerable harm, and baby rattles that when they break up have prongs inside which scar children for life. There is a desperate need for a standard in manufacturing of toys for small children. I strongly urge the government to take up where the federal government has left off and institute a programme that would meet that need.

Mr. Sargent: Is the member for Scarborough Centre going to come back?

Mr. Drea: No.

Mr. Deans: Ah, the hon. member for Scarborough Centre has gone. What a shame! Oh, well.

Mr. Sargent: He can't take it any longer.

Mr. Deans: I'll wait for the next part until tomorrow.

Mr. Martel: This is the second edition.

Mr. Deans: I do want, though, to take a moment. I think I'll cut a little bit out of my speech. I don't want to bore the members. I thought I would take a moment or two out and suggest to the government that it might well be time for it to consider instituting a new policy in the Province of Ontario.

The last budget really didn't come to grips with this problem. Other jurisdictions have seemed able to come to grips with it. It can't really be that the government doesn't have the knowledge; I don't think so, because the knowledge is readily available. It can't really be that it hasn't got the expertise in management, because that can be purchased. It can't be that it doesn't have within the civil service people of sufficient quality to be able to administer it, because it does have very fine people.

I can only assume that the reason we don't have a suitable, comprehensive, publicly run automobile insurance programme in this province is that this government doesn't have the will to provide the people of the province with the kind of insurance coverage at the lowest possible cost which will give them the maximum benefit for their dollar.

Mr. Sargent: Read tonight's Star.

Mr. Deans: I have asked the government on a number of occasions to institute such a programme, and they always procrastinate. They never seem to be able to come to grips with it. Without quoting at length, I want to bring to the government's attention a very interesting article which I commend to them for their reading—if they can read and those of them who can could read to the others who can't. It is an interesting article which appeared in the Hamilton Spectator on Sept. 15, 1973. Maybe the member for Ottawa South (Mr. Bennett) could read it to the member for Timiskaming, for example; and the member for Cochrane North (Mr.

Brunelle) could read it to the member for Algoma (Mr. Gilbertson), just so everybody could have the benefit of it.

The heading is: "Why Must You Be Faced with Higher Rates in Automobile Insurance?" Without going into the details of it, because time simply doesn't permit, I want to tell members the conclusions which were reached by the reporter who did an in-depth study of insurance in Manitoba, Saskatchewan and Ontario. He came to the conclusion that it was entirely possible for the Province of Ontario to institute a publicly-run, no-fault automobile insurance programme which would provide insurance to the people of the province comparable to that provided in the other provinces, at a rate substantially lower than what they are currently paying.

Mr. Martel: Ah, but what about the profits for their friends?

Mr. Deans: My colleague raises what seems to be the crux of the argument. I want to tell you, Mr. Speaker, I have been reluctant over the years, because I am not a suspicious-natured person, to believe it was simply because this government received contributions from the auto insurance industry. The more I think about it, and the more my colleague from Sudbury East talks to me, the more convinced I am that there is some truth in what he says. When it is possible within this jurisdiction to produce automobile insurance for the people at a rate significantly lower than they are currently paying for a comparative product, then the only thing that can be standing in the way is the degree of return the Tory party gets from the auto insurance companies. There just can't be anything else.

Interjections by hon. members.

Mr. Sargent: That's an awful thing to say!

Mr. Deans: I challenge the government to tell me that it isn't so. I want to hear it.

Mr. F. Laughren (Nickel Belt): One of the back-benchers will stand up and say it isn't so.

Mr. Deans: It just appals me to think this government has become so corrupt that it would refuse to give the maximum benefit to the people of the province simply to reap for its own personal political use the contributions of the insurance companies.

Mr. Laughren: It is vast political expediency; that's the truth.

Mr. Deans: I implore members opposite to stand up and tell me that it isn't so.

Mr. Laughren: Anybody?

Mr. Deans: It would destroy my faith in the democratic process, and yet I've got to say that the evidence is mounting. As each month goes by, I see more and more evidence that the only thing that could possibly be standing between the people of the Province of Ontario and adequate, no-fault, publicly-run, low-cost, compulsory automobile insurance must be campaign contributions.

Mr. Laughren: Right on.

Mr. D. R. Irvine (Grenville-Dundas): For the NDP.

Mr. Deans: I say to the government, for goodness' sake give up what it is getting from them. It doesn't need it. On the face of what the government has done to the teachers it is going to lose anyway. Why doesn't it give that up and take a stand on behalf of people for a change? Why doesn't it take a stand on behalf of ensuring the maximum value for the consumer's insurance dollar?

Mr. E. J. Bounsall (Windsor West): Depart with a little grace.

Mr. Deans: Do it, because it is absolutely necessary.

Mr. Laughren: Inevitable.

Mr. Deans: The degree to which insurance companies in this province rip off the insured public in the automobile field is disgusting.

An hon. member: Let's face it.

Mr. Deans: Unless this government is prepared to face up to it, there will be an uprising in the Province of Ontario. Oh no, it won't mean great masses of people standing outside the Legislature. It won't mean a rally down at Maple Leaf Gardens. But it will mean that many people in this province will opt away from the Tory party because it has failed to govern adequately. I challenge the government to make that kind of a commitment and in the next session to bring forward legislation on behalf of people.

Mr. Sargent: Give us No. 17 now.

Mr. Martel: Notice how the Liberals get a little excited when we talk about auto insurance. Thatcher never tampered with that, did he?

Mr. T. P. Reid (Rainy River): What's the member for Sudbury East talking about?

Mr. Sargent: The same speech 20 times.

Mr. Bullbrook: I will tell the member for Sudbury East when I'm excited. Okay?

Mr. Martel: Well, the member for Grey-Bruce was just about out of his skivvies.

Mr. Reid: I doubt whether the member will be there when he is, though.

Mr. Deans: I know when the member for Sarnia gets excited.

Mr. Bullbrook: I know the member for Wentworth very well, too.

Mr. Deans: He gets excited at hockey games, just like me.

Mr. Martel: That was a put-down, eh?

Mr. Bullbrook: Touché. I didn't find it a put-down at all—not at all.

Mr. Deans: No, that was just sharing common knowledge.

Mr. Martel: The member for Grey-Bruce was very exercised.

Mr. Bullbrook: My friend is a great speaker; I know that. But he's not omniscient. He doesn't know everything.

Mr. Martel: Right. But I know when the member for Sarnia gets exercised; he comes to the fore.

Mr. Reid: He wasn't talking about the member for Sudbury East being a great speaker.

Mr. Deans: I want now to speak to you, Mr. Speaker, because you obviously know a lot about the topic that I'm going to talk about.

Mr. Sargent: Read the phone book.

Mr. Deans: I want to talk to you about labour relations in the Province of Ontario. I want to talk to you about labour relations because I have become increasingly more concerned about the attitude that this government is showing towards organized labour in this province.

Mr. Laughren: Perhaps my friend should direct his remarks to the anti-labour member for Timiskaming.

An hon. member: They asked for it.

Mr. Bullbrook: Would my friend join me in asking for a select committee on labour?

Mr. Deans: I may. Wait till I get to the end and I'll see. Okay?

Mr. Bullbrook: All right.

Mr. Laughren: My friend might take note that the member for Timiskaming is in his seat.

Mr. Deans: Yes, my colleague from Nickel Belt has pointed out that the anti-labour member from Timiskaming is here to hear the speech. Very good.

Mr. Laughren: He is going to reply to my friend's comments on labour.

Mr. Deans: Mr. Speaker, labour relations in the Province of Ontario is a relatively new thing. Collective bargaining is not terribly old. Canada has not suffered significantly from labour unrest. It doesn't have a history of violence. There is very little in the negotiation patterns established over some 80 or 90 years in this country that would lead me to that there's very much wrong in the field of negotiations. There may be problems within the entire field of labour relations, but as the negotiation of collective bargaining agreements goes, the between record speaks volumes.

The government itself admits that three and five per cent of all collective bargaining efforts result in a strike situation, and that's in the Province of Ontario. With those statistics in mind, it means that 95 and 97 per cent of all collective bargaining efforts succeed at the bargaining table. This has historically been so—and one need only look through the journals of the Ministry of Labour over the years to find that this is so in case after case, year after year—to the point that the number of cases where there has been a strike situation is almost insignificant. And even in cases where there were strikes, there have been very few occasions where violence has been the result.

Yet we have this government panicking in the face of a system which is only now in its infancy, which is working its way through and which has been able—with problems, no doubt, but with a flexibility on each side—to sort out its differences.

This government doesn't understand collective bargaining. This government doesn't appreciate the amount of respect, genuine respect, held by each of the two parties, one for the other, in most collective bargaining arrangements. This government doesn't appreciate the amount of effort, the amount of honest-to-goodness, person-to-

person discussion which has taken place in the collective bargaining field.

This government has taken the position, as recently again as this last week, that in the interest of public convenience it must impose arbitration.

Mr. Laughren: Political expediency.

Mr. Deans: The government did it in the case of the hospital workers. The government has done it in the case of the Crown employees. The government is doing it in the case of the teachers of the province. And, as I said to the former hon. member for Huron, Mr. MacNaughton, during the debate on the Crown Employees Collective Bargaining Act, that was just the thin edge of the wedge and my prophecy is coming home to roost, if prophecies roost.

Mr. Laughren: Yes, they do.

Mr. Deans: This government is committed —and actions prove it—to the destruction of the collective bargaining process. This government is committed to bringing about compulsory arbitration as the only means of settling disputes.

I want to tell the government that the majority of strike situations are not brought about over monetary matters; they are brought about as the result of a number of frustrations which build up in the workplace and cannot be resolved during the course of a collective agreement and which become a major thorn in the side of either management or the workers.

Not many people go on strike solely for money. In the majority of instances it is the culmination of a great many problems which finally result in somebody throwing up their hands and saying, "To heck with it, I am not going to work unless the conditions change."

I want to assure you, Mr. Speaker, as sure as I stand here, that there is no arbitrator in the world who is capable of bringing about goodwill—there is not one. Goodwill cannot be arbitrated. Goodwill is only brought about by an honest effort on the part of two people or groups of people to find a common solution to a problem.

While it might be more convenient in the short haul for the government to sit back and impose compulsory arbitration in situation after situation, the truth of the matter is that this will ultimately be destructive of the entire collective bargaining process. And when it is destroyed, it will not be rebuilt and it will bring about more stoppages, which will be branded illegal but which will be a result of pent-up frustrations on the part of the people involved, than we get today as a result of leaving people with the right to withhold their services.

The government are wrong-headed. There is no way that they can begin to impose their will on the workers of the Province of Ontario, and that is evidenced by the reaction of the teachers over the last two weeks.

I am suggesting to the government that if they want to know something about collective bargaining, for heaven's sake before they go any further they should sit down with the people who bargain, talk to them about the problems and find out what it's like. Don't impose some administrative tribunal, don't impose some administrative decree before fully understanding the implications of it.

I don't intend to talk about the teachers' strike today, but I want to tell the government that what they did in the case of the Crown employees may well be palatable to the community, but it will in the ultimate be destructive.

The Crown employees of the Province of Ontario did never, nor did they ever intend, to use a strike as a weapon. There had never been a strike in the Province of Ontario by the Crown employees, nor was there even the likelihood of there ever being one. And yet this government, in its misguided attitude towards collective bargaining and the entire labour relations field, imposed compulsory arbitration in a situation where it cannot, nor will it, work.

It may, over the course of a short time, resolve some of the very obvious differences, but it can't begin to resolve the frustrations of the people who know that they are not being permitted to deal with matters related to their workplace.

When the government in its Crown employees legislation refuses to allow the Crown employees to bargain such things as working conditions, and when it almost limited the scope of collective bargaining to wages and wages alone, made it virtually impossible for those people to resolve their legitimate differences over the workplace.

And whether the government believes it or not, in this day and age one of the primary concerns of the average worker is the conditions under which he must work. It has nothing to do with wages. It has nothing to do with longer vacations, or shorter work weeks. It has to do with the physical conditions under which he must work. And I want to tell the minister that the physical conditions of the Hansard staff are deplorable.

Now beyond that, the physical conditions provided for the other employees in the civil service need to be a subject of discussion. They must be a subject of discussion.

And I say to the government what the Civil Service Association failed to say to it at the time the bill was being debated; and that is that there is a requirement, in modern collective bargaining, for the employee and the employer to be able to speak one to the other and to come to agreement on the terms and conditions under which the employee must work.

When the government takes away the right to strike, as it has done, it assumes an additional obligation as an employer; and that additional obligation is to make as wide as is humanly possible the scope within which the collective bargaining will take place. It is absolutely essential that when the employer representative and the employee representative sit down to discuss a collective agreement, they be able to talk about any single thing which affects the hours during which the employee is required to be at work. It is essential that they be allowed to do that.

It is essential from the point of view of ensuring maximum co-operation from employees; and furthermore it is essential to ensuring that we get the best possible effort from the employees in terms of production and in terms of their feelings.

Interjection by an hon. member.

Mr. Deans: Is the member for Grey-Bruce back again?

Now having said it—

Mr. Sargent: Who is the member for Wentworth talking to?

Mr. Deans: I'm talking to the Chairman of Management Board.

Mr. Sargent: He's not listening.

Mr. Deans: Oh he's listening, he's listening; I can tell—

Mr. Sargent: He's got that Playboy there.

Mr. Deans: No, he doesn't look as if he is listening, but that's his normal look.

There is an absolute requirement for a change in the Crown Employees Collective Bargaining Act, and the government must never again venture into the field of labour relations without getting expert advice from people already in the field and doing the bargaining.

I understand the civil service may well have given the minister advice and the Ministry of Labour may well have given him advice, but it is some considerable time since they negotiated contracts, since they were forced to sit down and come to a resolution with their co-workers about what it was that ought to be the subject for collective bargaining at that particular time.

I ask the minister, earnestly, that he consider a complete about face in terms of his attitude, that he recognize the need to have a harmonious relationship. That he realize that production, whether it is in the industrial workplace or whether it is in the civil service or whether it is in an office, is a co-operative effort. That the worker has as much stake in the future of the company or whomever he works for, as the employer does. That the worker, in fact, may well have a greater stake in terms of years of service and the possibility of future employment than the employer does. It is entirely possible that the employer can see the business go down the drain because in some instances he may well have sufficient capital removed from it in advance in order to sustain him. The worker in the plant, in the civil service, in the school, in the hospital, throughout the work force of Ontario, has a very large stake in his employment. His entire life, his entire future, and his entire economic well-being, depends to a great extent, for the majority of people, on that job being there the day after next and beyond.

I want the minister to change his attitude. Workers must play a prominent role, in the Province of Ontario, in terms of whatever legislation is brought about by this government in the field of labour relations. There simply has to be a recognition of the degree of involvement that workers have.

I commend to the Chairman of the Management Board a book about a strike which took place some years ago, in 1892 in Homestead, Pa. I would like very much if, over the Christmas recess, the Chairman of the Management Board and the Minister of Labour would acquire a copy and would read it, because it sets out in very clear and concise terms what happens when there is a breakdown in communication between the employer and the employee.

It sets down in clear terms what happens when employers become intransigent and when employees are not given any recognition. It shows in clear terms the kind of violence, unasked for and unnecessary, the kind of destruction, both human and material,

that occurs in the workplace when there is not a sufficient degree of concern paid to the employee and his feelings.

It talks about a situation which eventually destroyed collective bargaining in Homestead, Pa., in the major steel company of that town; which resulted in death, which resulted in damage, which resulted in the breakup of families, which resulted in the total destruction of a community; simply because there was not the opportunity to bargain collectively about matters which were of great concern.

It talks about an old Scottish hero, Andrew Carnegie, who provided for Scotland considerable sums of money to produce libraries and the like. But in this instance he copped out, because he was part owner of the mill and he was unable or unwilling to play the kind of role for which he has since become famous.

I want to suggest to the government that what is contained in that book could well be a prediction of future negotiations in the Province of Ontario, in many fields, if it pursues the course of action which it seems to have pursued over the last two or three years.

Mr. Speaker, in closing my remarks, I want to tell you, as you may have guessed, I have not much confidence in the government of the Province of Ontario. I don't believe that it is honestly trying to solve the problems of the people. I think it is more interested in self-perpetuation than it is in honest government. I think it's more interested in perpetuating the Conservative Party in power than it is in ensuring an adequate and sensible legislative programme for the people of this province.

It has failed, through its budget and through many of the measures which it took immediately after the introduction of its budget, to meet the needs and demands, legitimate as they are, of the people of this province. It should, in fact, not be in office, and I trust at some point in my lifetime I will see that come to pass.

Mr. R. G. Eaton (Middlesex South): Mr. Speaker, I would like to say a few words regarding the budget. Budgeting is something that comes to the attention of everyone, in every day's activities of his lifetime. The individual has to budget for the things that he does; companies budget and governments budget. I think we all have an understanding of what budgeting is.

Sometimes I have to wonder, however, about the Leader of the Opposition, when he talks about removing all the spending guidelines on education and having the province provide 80 per cent of the cost of education to the local school boards. I guess, Mr. Speaker, you might coin a little nickname for him, maybe something like "Blank Cheque Bob." Just pass the money out; it's very simple.

I think we have to take more responsibility in our budgeting than that.

Mr. Haggerty: It sounds like a lot of beans over there.

Mr. Eaton: I think the government has probably done an extremely good job in budgeting over the past year, and in fact in the past number of years.

Mr. Haggerty: The member doesn't believe that now.

Mr. Eaton: I think all one has to do is recall the words of the member from Kent (Mr. Spence) when he spoke tonight and referred to a need for spending guidelines in education. He doesn't agree with the leader of his party either, and I imagine many of them over there don't.

Mr. Haggerty: He is a very reasonable man. He didn't say that.

Mr. Eaton: I think the responsibility that is being taken in budgeting by the government in this province has been extremely good. We have seen the needs, in many areas, to place priorities on the spending of this province; and the priorities have been placed there when the necessity was there.

Mr. Haggerty: The member's government has cultivated more asphalt roads.

Mr. Stokes: Like subsidies for racehorses.

Mr. Haggerty: Yes, things like that.

Mr. Eaton: We can wander onto something like that. The member mentions subsidies for racehorses.

Mr. Stokes: Let him tell us what the member's priorities are.

Mr. Eaton: In my community the racehorse business is a very important one.

Mr. Yakabuski: That shows how dishonest the member for Thunder Bay is.

Mr. Eaton: It's very important. The member can pick out a single item like that and atack it; but just think of the people in that area who make a living at the racehorse

business, raising horses; and the people in our area who supply feed for those racehorse men. The member can criticize many little things like that, but he can only look at one particular part of it when he criticizes it.

He never seems to be able to take a broad look at things—just like the member who was up there tonight a few minutes ago, the one just finished.

Mr. Renwick: The member for Wentworth is the person he is referring to.

Mr. Eaton: The member for Wentworth quoted an extreme amount of figures.

Mr. Renwick: An extra amount of figures.

Mr. Eaton: He compared them, all in one year, those about increases in profits of companies; and he didn't say what he was comparing them to.

Mr. Renwick: It was apples and oranges.

Mr. Eaton: We can say that the member's party increased its membership fees by 100 per cent this year. He is criticizing all the companies which maybe had a 30 per cent increase in their profits, when their profits were very little last year.

He talked about the chain stores. I made a note of that. He talked about the chain stores, saying that of $100 of money spent in several chain stores, there was only a difference of 60 cents in that food basket. But he neglected to mention that the profit on that food basket was one per cent of $1; so a variation of 60 cents in that $100 is considerable in light of the $1 profit.

Interjections by hon. members.

Mr. Renwick: The food processing industry for the first nine months had an increase in profit of 54 per cent.

Mr. Eaton: He mentioned all the profits of many companies. He neglected to mention Loblaws. He neglected to mention that the shares in all those food chains have gone down. He probably didn't know, because the people in the member's socialist party don't seem to want to invest in Canadian companies. They want to have control of the government so that they can take the money from everyone else and invest it.

Mr. Lawlor: Don't get mad.

An hon. member: A hand in the public purse.

Interjections by hon. members.

Mr. Renwick: The food processing industry for the first nine months had an increase in profit of 54 per cent.

Mr. Eaton: The NDP is always moved to say how it can run the public purse; how it can use the public purse.

An hon. member: The member couldn't run a lemonade stand, and he knows it.

Mr. Eaton: But how many of the members over there could run a business? How many?

Interjections by hon. members.

Mr. Renwick: What about the tender fruit industry.

Mr. Eaton: The hon. member for Wentworth stood on his feet and talked about negotiations. I don't know whether he has been on them or not; but there are several NDP members over there who talk about them, but who never have been.

Mr. Martel: Has the member been in negotiating?

Mr. Eaton: Yes I have; yes I have.

Mr. Martel: For what? For what?

Mr. Eaton: When I was with the marketing board.

Mr. Yakabuski: With Inco.

Mr. Stokes: The member couldn't negotiate his way out of a paper bag.

Mr. Eaton: They laugh, they laugh.

Mr. W. Hodgson (York North): That is why they have no farmers in the party. They don't understand it.

Mr. Eaton: I think that is about it.

Mr. W. Hodgson: They never will either. The farmers are too smart.

Mr. Eaton: The hon. member went on about that—and I'll get into that somewhat later on. I have a lot of things I want to get at first.

Mr. Martel: We have forgotten more about the farming business than the member ever knew.

An hon. member: He is a farmer.

An hon. member: Oh yes, I know he is; a junior farmer.

An hon. member: He is a Don Valley farmer.

Mr. Eaton: It is very simple, as he did, to quote a bunch of figures; to misconstrue them, to not give the complete picture. He has done that in many cases, and a few of them I will refer to later in my remarks.

He talked about the percentage increases in food costs in the last two years, but he neglected to go back over a number of years and show how it had increased percentage-wise and compare it to the expendable income we have for those things.

He neglected to mention the percentage of our incomes that we spend on food in this country. It is very easy to misconstrue those figures, to use them for anything you want to use them for; and he did an apt job of that tonight.

But now to come back a little closer to the budget and what I wanted to talk about, I'll get to the agricultural situation a little later and bring out some of those figures that he misconstrued.

I'd like to talk for a moment about the municipalities and our property taxes, and what the budget of Ontario has done to assist in that area in this past budget. Apart from a few minor revenues on licensing, direct municipal financial resources are derived exclusively from taxes on our property. The traditional low-growth potential of this tax, combined with accelerating growth and expenditures, have put some of the municipalities in a position that they weren't able to raise the amount of money they felt they should to do things in their localities. They were in need of other forms of financing. The Ontario government recognized the burden it has placed upon the municipalities. Steps were initiated to increase provincial transfer of payments to the municipalities to offset this reliance.

Mr. Martel: Where did it come from in the first place?

Mr. Eaton: And to undertake a broad reform of property tax itself.

Interjections by hon. members.

Mr. Haggerty: An increase in sales tax.

Mr. Eaton: It is raised through another form of taxation, and we don't try to hide that fact at all.

Mr. Yakabuski: It is a redistribution of wealth.

Mr. Eaton: We don't try to hide the fact that it is raised through another method at all. We are not saying that we can spend all kinds of money on this and that—

Mr. Martel: The government pays us back what it took from us.

Mr. Eaton: —and pull it out of the air like some of the NDP members do at election time.

Interjections by hon. members.

Mr. Martel: Put it back where it came from.

Mr. Eaton: Anyway, they have entered this field of transfers to the municipalities, and a province-wide programme of reassessing all the properties in the province is being undertaken.

Interjections by hon. members.

Mr. Haggerty: And what a nightmare it is.

Mr. W. Ferrier (Cochrane South): It put that back for 100 years.

An hon. member: The continuing programme—

Mr. Eaton: The major thrust of the reform, though, is the aid to local governments, and this is the huge increase in the provincial transfer of this past year. Budgets presented between April, 1971, and April, 1973, increased aid to local government and was accorded the highest priority. Financial support to school boards was increased in the period from 51 per cent to 60 per cent.

Mr. Sargent: Where did the government get the money to do it with?

Mr. Eaton: Provincial transfers increased by more than $1 billion between 1970 and 1973.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Gallonage tax from the member for Grey-Bruce's hotel.

Mr. Sargent: They take from the people and give it back to the people.

Mr. Yakabuski: Booze tax from the Downtowner in Owen Sound.

Mr. Eaton: Can the member tell me of a tax that doesn't take from one person and spread it over all people?

Mr. Sargent: They take it from the little guys. They should take it from the big guys.

Mr. J. R. Rhodes (Sault Ste. Marie): He shouldn't have dropped out; he should have stayed there. He could be the leader.

Mr. Eaton: Is he one of those big guys?

Mr. Martel: On a real gut issue like training seals, the Liberals are in bed with the Tories.

Interjections by hon. members.

Mr. Eaton: The effect of these initiatives has been to slow down the increase of retrogressive property taxes.

Mr. Martel: They cut nine per cent from corporations and increased—

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Eaton: In fact, in 1973 municipalities throughout the province were enabled to effect tax cuts to property owners for the first time in many years.

Mr. Martel: Tell it to the corporations. Give it to the small people.

Mr. Eaton: The 1973 budget alone provided an additional $440 million to municipal governments in this province.

For the interest of some of the members from the north it provided special provisions for northern Ontario.

Mr. Yakabuski: We look after the north as well as the south.

Mr. Stokes: Point of order.

Mr. Martel: With $16 million tax from the mining industry.

Mr. Speaker: Order, the hon. member for Thunder Bay on a point of order.

Mr. Stokes: On a point of order. When my colleague from Wentworth was engaged in speaking you cautioned him not to read more than one or two paragraphs. Could you bring the hon. member for Middlesex to order? He has been reading ever since he stood up 10 minutes ago.

Mr. Yakabuski: He's not reading at all. It's right off the top of his head.

Mr. Speaker: The standing orders provide that members may not read from documents. The orders do not state that a member may not read from his own speech and this has been the accepted practice for many years in this Legislature.

Mr. Stokes: I'm glad you cleared that up for me. Thank you, Mr. Speaker.

Mr. Renwick: I'm certainly glad to have that clarification.

Mr. G. Nixon: Let's have the truth.

Mr. Eaton: Is the member satisfied?

In keeping with the government's programme of decentralization—

Mr. Sargent: Decentralization?

Mr. Eaton: —most of these grants have been unconditional.

Mr. Martel: He's reading again, Mr. Speaker.

Mr. Eaton: And more and more of the future grants will be unconditional.

Mr. Lawlor: He had the research department work on it all morning to get him ready for tonight.

Mr. Eaton: In the previous year we introduced the property tax credit to produce a fairer and more progressive distribution of the property tax burden in Ontario. Also introduced were sales tax and pensioner credits in the 1973 budget which will operate in the same manner as the property tax rebates did previously.

Mr. Ferrier: People need a Philadelphia lawyer now to do their income tax returns.

Mr. Martel: If he didn't read that, what would happen?

Mr. Stokes: Who wrote this? He cannot understand his own writing.

Mr. Eaton: In addition, property tax on agricultural land will be effectively eliminated throughout this coming year.

Mr. Martel: If somebody turned the page on him, he would be lost.

Mr. Lawlor: That's a desperate move to retain the farmer in the Tory ranks. They would do anything.

Mr. Eaton: I feel that certainly the budget this year has recognized the need of the municipalities and has been of great assistance to the municipalities.

I think another role in which we have seen a priority which showed up in the budget this year is transportation.

Interjection by an hon. member.

Mr. Eaton: The member can laugh. Go ahead and laugh. He doesn't take anything too seriously at any time.

Mr. Martel: Not if it is coming from the member.

Mr. Eaton: The direction of 75 per cent of the cost for local transportation systems has been of great importance. I know particularly in our area; just four or five weeks ago we opened up a new garage in the city of London for the expansion of the London transportation system.

Mr. Martel: Did the member hear the member for the Soo when he asked if they might build a road in northern Ontario? The member might ask the member for the Soo. He does talk to him once in a while, doesn't he?

Mr. Eaton: I didn't hear what the member said. He is mumbling.

Mr. Rhodes: He says the member is mumbling.

Interjections by hon. members.

Mr. Eaton: We opened up a garage in the city of London for the London transportation system, which will give them the opportunity to expand public transportation in the city of London. This is a role that is of increasing importance in municipal areas.

Mr. Renwick: Arthur Wishart can sit for Spadina Ave.

Mr. Sargent: The hon. member should get his hands out of his pockets.

Mr. Rhodes: You said?

An hon. member: Come on. Give 'em hell.

Mr. G. Nixon: Come on. On with the truth!

Mr. Yakabuski: Give them more of the truth. It is hurting.

Mr. Eaton: The programme of transportation that is going to take place in this province over the next number of years is one that will be second to none in the world. It's a commitment of this government to see that this transportation programme is carried out.

Mr. Ferrier: What will they get in Dorchester?

Mr. Eaton: What is it the member is saying about Dorchester?

Mr. Ferrier: Have they got that magnetic levitation transportation system in Dorchester?

Mr. Eaton: No, in our area we provide good roads.

Mr. Rhodes: And they do in the Soo, too.

Mr. Martel: Oh, they have got them.

Mr. Eaton: And while I'm on the subject of roads, I'd like to talk for a moment about Highway 402.

Mr. Rhodes: Just keep talking about the roads. That's fine.

Mr. Eaton: Highway 402 is an extension from Highway 401 to Sarnia.

Interjection by an hon. member.

Mr. Sargent: He can't get back much farther!

Mr. Haggerty: What is the member's position on that road, by the way?

Mr. Eaton: My position was that the road was needed. My position was that the road should be put southwest of the city of London. And that's where the road has been put.

Mr. Rhodes: Not right down through the middle of the city like they do here in Metro.

Mr. Eaton: The study that took place on routing the highway is one that I think is a good example of what study teams can do in routing a highway.

Mr. Martel: Oh, the member is right! Particularly if the former Premier had something to say about it and he didn't want it going through his farm.

Mr. Yakabuski: Quit mumbling, "Gomer." The interjectionist can't get it down.

Mr. Eaton: Is the member for Sudbury East through? Do you want to speak now, "Gomer"?

It seems that somebody from up in the member's area became the expert on transportation and he'd never been near there. He'd never been near there, but he's an instant expert on it.

Mr. Martel: Well, the member is an instant expert on education and he has never been in a classroom. By the way, the member is supporting the Tory bill.

Hon. Mr. Grossman: And he can spell.

Mr. Eaton: The study team, in carrying out their programme, worked very closely with the local people.

Mr. Martel: Yes, John Robarts.

Mr. Eaton: I think one of the things that is of basic importance in placing a highway is to consider how it affects the local community and what it affects in the local community. In the particular area that this highway went through, agriculture was of extreme importance. Also of extreme importance was the ecology in the area.

Mr. Martel: The member is having difficulty keeping a straight face on that one.

Mr. Eaton: I have trouble keeping a straight face every time I look at the member for Sudbury East.

Mr. Rhodes: If the member for Timiskaming was here, the member for Sudbury East would keep quiet.

Mr. Martel: That is why I show my feet to the member.

Mr. J. F. Foulds (Port Arthur): His face is far from straight.

Mr. Lawlor: The province is really moving ahead today.

Mr. Rhodes: Look at Heckle and Jeckle, the two little crows over there! Look at them!

Mr. Renwick: Why doesn't the member move the adjournment of the debate, the House and the session?

Mr. Reid: He's lost over there.

Mr. Eaton: I'm not lost. I'm just letting those guys babble on. That's all they're doing over there. There's not much else comes out of their mouths at any time.

Mr. Foulds: He is overwhelmed by the occasion. He simply cannot rise to it. He is just rising to the bait.

Mr. Martel: Even the member for Peterborough says his colleague should move the adjournment of the debate. He says, "Quit while you're ahead.

Mr. J. M. Turner (Peterborough): Don't put words in my mouth.

Mr. Eaton: Well, to go on with it, if I could speak without a few interruptions. In placing this highway, and the work that the study team carried out—

Mr. Foulds: Is the member filibustering? Is he delaying the debate?

Mr. Eaton: No.

Mr. Foulds: Well, carry on then!

Interjections by hon. members.

Mr. Eaton: Yak, yak, yak, yak, yak.

Mr. Martel: Even the member for Peterborough says the member should move the adjournment of the debate. He wants the member to quit while he's ahead.

Interjections by hon. members.

Mr. Eaton: Ah, they are just taking up the time. I am not worried, if this is what they want to do.

Mr. Foulds: Is the member filibustering? Is he delaying the debate?

Mr. Eaton: No.

Mr. Foulds: Well, carry on then.

Mr. Eaton: The member opposite is the one who is delaying it.

Mr. Laughren: Members are not supposed to respond to interjections.

Mr. Lawlor: If the member had any sense at all he would ignore us.

Mr. Eaton: I beg the member's pardon?

Mr. Lawlor: He should keep going as long as he can, they need time.

Mr. Rhodes: I wish the member for Timiskaming was here to straighten these fellows out.

An hon. member: Wouldn't he just?

Mr. Eaton: I'd like to go on and talk a little bit about this highway, if they don't mind allowing me to do so without interrupting. Okay?

Mr. Renwick: No, please do.

Mr. Sargent: He's got 30 seconds left. Go ahead.

Mr. Speaker: Perhaps the hon. member would find this a convenient spot to move adjournment of this debate.

Interjections by hon. members.

Mr. Eaton: Mr. Speaker, I will adjourn the debate.

Mr. Renwick: The adjournment of the debate, of the House and of the session.

Mr. Eaton moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Winkler: Mr. Speaker, the situation before us tomorrow is that the civil service choir will begin its Christmas programme of carols and—

Mr. Martel: That will appeal to the teachers.

Interjections by hon. members.

Hon. Mr. Winkler: I would like to ask the unanimous consent of the House that for the days that the choir does present this programme that the House would rise at 12 noon.

Mr. Speaker: Is it agreeable to the hon. members that we should rise for a noon-hour recess at 12 instead of 12:30?

Mr. Stokes: I think further advance—

Mr. Bullbrook: I am sure all of us want to acquiesce with the House leader's request.

Interjection by an hon. member.

Mr. Bullbrook: I wonder if he could do us the courtesy, before he makes that request, of telling us what the order will be tomorrow?

Hon. Mr. Winkler: Yes, Mr. Speaker, I certainly would be pleased to do that. We will call any matter that remains on the order paper.

Mr. Renwick: In what order?

Mr. Bullbrook: I wonder, Mr. Speaker, if the House leader could give us any assurance that those matters vital to the interests of the people of Ontario would be called tomorrow, recognizing the conviviality of the moment with the House leader, Mr. Speaker, but recognizing also our responsibility to the public of Ontario—

Hon. Mr. Grossman: There are only two things left.

Mr. Rhodes: Is the opposition going to get responsible now?

An hon. member: Out of order.

Mr. Bullbrook: The member doesn't have to say "out of order," I am asking a question. Could the House leader assure us that tomorrow will resume those matters of direct consequence to the people of Ontario?

Hon. Mr. Winkler: Mr. Speaker, I will assure the members of the House that matters called tomorrow will be of vital interest to the people of the province.

Mr. Deans: No, no. Mr. Speaker, please, are we going to debate the teacher bill in the morning? Let me put it bluntly, plain, simple, so even the House leader will understand.

Mr. Stokes: Bill 274.

Mr. Deans: Are we going to debate Bill 274 tomorrow morning? We have got to know. Surely to heavens we are entitled to know 24 hours in advance what is going on here? Eight hours—

Hon. Mr. Winkler: I would say, Mr. Speaker, if the hon. members are not ready now they will not be ready in the morning.

I move the adjournment of the House.

Mr. Bullbrook: Well, may I say to you, Mr. Speaker, before the motion is put, that we will acquiesce in taking a half hour of the time of the House to listen to the chorale, but may I also say to you on behalf of this party that we feel an obligation to come to grips with these problems, even if the government doesn't understand the consequences upon the children of Ontario, their teachers and the parents, importantly.

An hon. member: What a prayer!

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Tuesday, December 18, 1973

Morning Session

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 18, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Orders of the day.

Clerk of the House: The seventh order, resuming the adjourned debate on the motion for second reading of Bill 274, An Act to amend the Ministry of Education Act.

MINISTRY OF EDUCATION ACT
(continued)

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre). Thank you very much, Mr. Speaker. I have been joking with my colleagues that this speech is now in its 87th hour and that I've never delivered such a long speech in my life, but of course the reason for the additional delay is the very curious tactics of the government yesterday when they decided—

Some hon. members: Oh, oh.

Mr. Cassidy: —when they decided, Mr. Speaker—

Interjection by an hon. member.

Mr. Cassidy: —for reasons known only to themselves, that they would—

Interjections by hon. members.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): We needed a rest from the member. That's the only reason.

Mr. Cassidy: Well, the members are pretty active and pretty agitated this morning; and I can believe it, because I've talked to a number of Conservative members and they know the kind of reaction they have been getting from the people in their own areas.

Some hon. members: No, no.

Mr. Cassidy: We have a situation, Mr. Speaker, at the present time, where because of government action, there are close to two million children who are not getting schooling today.

An hon. member: Shame. Shame.

Mr. Cassidy: This is the government that said it wanted to keep the schools open, and yet it was the direct intervention of the government with Bill 274 that has led to today's events.

Hon. G. A. Kerr (Provincial Secretary for Justice): Does the hon. member really think the people will believe that?

Mr. Cassidy: The government knows, the Minister of Education (Mr. Wells) knows, the Premier (Mr. Davis) knows, and every member of the cabinet of the government knows, that none of this would have been necessary if the situation had been adequately or competently handled, but of course it has not. I think the events of yesterday, Mr. Speaker, have got to be put down to mean that what began as a gleam in the eye of a rather incompetent, stubborn and stupid Minister of Education—

Some hon. members: Oh, oh.

Mr. Speaker: The words are definitely unparliamentary, and I would ask the hon. member to withdraw them.

Mr. Cassidy: Well—

Mr. Speaker: The hon. member will kindly withdraw them.

Mr. Cassidy: I will withdraw those words, Mr. Speaker. I think "incompetent" is a parliamentary word, and I'll use that word.

There was a gleam in the eye of the mind of an incompetent Minister of Education a couple of weeks ago—

Interjections by hon. members.

Mr. Cassidy: —and then a move that he made in panic, in reaction to an editorial in the Globe and Mail, was confirmed yesterday by the Premier and by the caucus as being government policy.

We're now not talking about a minister who was expendable and who could be dropped. We are now talking about the full government—the Premier getting up here and

stonewalling for his government, defending his minister and linking himself firmly with the most retrogressive piece of legislation this House has seen for a decade. That's the situation, Mr. Speaker.

The Premier as well, despite his record as Minister of Education for seven or eight years in this province, was willing to go out in public in this Legislature, in front of the people of Ontario, and defend the kinds of comments that were made by his Minister of Education, which alienated the government completely from the teaching profession.

As my leader (Mr. Lewis) has said, the government has been trying to victimize teachers. It's been using teachers in a very cynical way, a very political way. Somebody behind the minister, somebody behind the Premier, has looked at this strategy, and for reasons that are known only to themselves has judged that this strategy is right.

Well, we deplore the strategy. Whatever happens in terms of electoral advantage that may have come to any other party or our party, Mr. Speaker, we deplore the kind of cynical tactics that have been used.

Hon. A. Grossman (Minister of Revenue): We know the NDP are not—

Mr. S. Lewis (Scarborough West): We deplore it because we know what is going on behind the scenes as well.

Interjection by an hon. member.

Mr. Lewis: And that will come to.

Mr. Cassidy: Not only that, Mr. Speaker, I will say to the Minister of Revenue, it wasn't only yesterday's efforts to cool the crisis, so to speak. It wasn't that at all. There were desperate meetings in which the government sought to make the Ontario Teachers' Federation crack; because when this bill first came in, Mr. Speaker, it had counted on the fact that the teachers couldn't hang together.

Yesterday morning, in one of the rooms around the Premier's or the cabinet office, the executive of the Teachers' Federation were brought together. I suspect some of the cynical advisers to the Minister of Education had calculated, Mr. Speaker, that the OTF executive did not include the most militant people, who are on the executives of the various affiliates; and, therefore, I suspect they thought, even if the affiliates were militant, the OTF might crack. This kind of process went on right through the morning while we were talking about local, parochial matters during the course of the Budget debate.

It was very curious, for example, in view of the kinds of interpretation being put by the press on the stand of the government, and by the decisions announced to the caucus meeting 15 minutes before question period yesterday, that a government that was so sure of itself and so sure of its ground would not have gone immediately ahead with the bill and taken it to second reading last night, so that when the teachers come out today it could present them with a fait accompli, a bill that had passed the Legislature in principle and was then going on to clause by clause study.

So what was it, Mr. Speaker? The government was looking desperately for some means of saving face. It was locked in and was trying to get the teachers to bail it out; and thank God they didn't bail it out, because it is this government that has to bear the responsibility for what is being done to education in this province today at this time. It is this government that has to do it.

Maybe they needed that ime, Mr. Speaker, because it was very visible at question period yesterday that there were a number of the Conservative back-benchers whose only—

Mr. Speaker: Really the hon. member is not speaking to the bill.

Mr. Cassidy: Yes I am, Mr. Speaker.

Mr. Speaker: No, he is not speaking to the bill; he is reciting events that took place yesterday and perhaps are related to the bill, but he isn't speaking on the bill.

Mr. Cassidy: This is all related to the bill, Mr. Speaker.

Mr. Speaker: Then speak to the bill.

Mr. Cassidy: All right, I just wanted to point out something and I'll go on to the bill in a moment, Mr. Speaker. Many of those back-benchers felt very, very reluctant about the bill; and maybe the government needed that extra time, Mr. Speaker, in order to pull those back-benchers into line. What promises of patronage were given? What promises of electoral support? What other devices?

Interjections by hon. members.

Hon. Mr. Kerr: What causes the divisions over there?

Mr. Speaker: Order. The hon. member is out of order. He is not speaking to the bill.

Mr. Cassidy: All right, Mr. Speaker. I want to point out that the minister has said he wants a no-strike policy in the schools. It is an anti-strike policy or a no-strike policy. The policy to reduce strikes or to limit strikes in the schools is a perfectly laudable kind of objective of a Minister of Education, if it means that he seeks to maintain the harmony of teacher-board relationships.

Mr. R. G. Eaton (Middlesex South): What is the member's policy? To encourage all the strikes he can?

Mr. W. Ferrier (Cochrane South): We know the right-wing stand of the member for Middlesex South.

Mr. Cassidy: Yes, I'm sure the member for Middlesex South supports the bill completely, because he's so uncritical. He's such a sycophant for the government.

Mr. Speaker, a policy of maintaining harmonious board-teacher relationships, though, would not have been carried out with the kind of confrontation in the way that we've seen.

What we've seen is a verbal escalation on the part of the minister. In fact, I think one could put a gloss on it and say that the minister has been deliberately trying to provoke. Is the minister really hoping that there will be some incident today that will catch the eye of the media and somehow turn the public, who have been pretty quiet about this up until now, against the teachers? Is that the purpose of the delay? It was certainly not this party which delayed second reading on Bill 274.

Hon. Mr. Kerr: The member has a rather twisted mind.

Mr. Cassidy: It was a Conservative government that dared not face the second reading debate yesterday afternoon. The minister began this, Mr. Speaker, by condemning teachers for using kids as pawns. That was his first insult to the teaching profession, a profession which believes in kids and whose members are devoted to kids, and he says they are using kids as pawns. Then he talked about victimization.

Hon. T. L. Wells (Minister of Education). The member is using that word he criticized me for using by calling them kids.

Mr. Cassidy: The minister is perfectly right. The minister criticized the teachers for using children as pawns. Yet who are the pawns in this now and who has been using them? Who has been using kids as pawns because of the educational ceilings policy? Who has been using kids as pawns by allowing the teachers' colleges to go on in their inadequate way for year after year after year? Who has been using kids as pawns because of the whole anti-education policy of the government?

This is the government that has been doing that, not the teachers. And the teachers, in their struggle for adequate pay so they can concentrate on their professional duties, and in their struggle for decent working conditions so that class sizes are not distorted to the point where they cannot teach effectively, are seeking to protect the rights of children; and it is the government which has been seeking to undermine and degrade the rights of children.

Then it was victimization, Mr. Speaker, and in the headlines across the province yesterday we have the minister talking about the teachers resorting to intimidation and to mob rule. Mr. Speaker, it reminded me, and I am sure that the minister also believes it, that Britain was responsible for the Second World War because the British government was the first to declare war against Nazi Germany. That's the kind of thinking that has led the minister to this kind of talk.

I am afraid that his explanation of those remarks in the House yesterday simply did not stand up against the notes of the reporter, Mr. N. John Adams, which were in the Globe and Mail report—I think it was this morning. It's interesting about that as well, because this is not a strange reporter, one of these violent, anti-government revolutionaries who it is alleged one finds in the press from time to time. This is a reporter who talks to the minister and says: "Tom," and the minister comes back and says: "John."

They are on a first-name basis. They have known each other well. They have worked together on a number of stories, and the minister obviously has confidence, or has had confidence, in Mr. N. John Adams up until now. But when it suits his purpose, he throws the reporter off, he denies the context, because he is looking for any means he can.

The Toronto Sun spoke of revolution. The minister didn't, but I know that the editorialists of the city of Toronto seem to be speaking in counterpoint with the minister. Well,

about the only thing he hasn't charged them with is terrorism, and he is waiting for something to happen today so that he can use that particular kind of clause.

You know, one of the curious things about this whole issue, Mr. Speaker, is the fact that the government has said it's standing firm, while behind the scenes doing everything it can to avoid the crisis. On Sunday, when the Minister of Education met with the teachers and the trustees, he did so badly that they all concluded, teachers and trustees, almost to a man, that the meeting was a waste of time.

Hon. Mr. Wells: Oh, now that is just not true.

Mr. Cassidy: That is true, that is true.

Hon. Mr. Wells: That is not. Was the member there?

An hon. member: It's got nothing to do with the principle of the bill, either.

Mr. Cassidy: The teachers couldn't see a single thing coming out of that meeting.

Hon. Mr. Wells: Was the member there? Was he there?

Mr. J. A. Renwick (Riverdale): Of course he wasn't there, the minister knows that.

Mr. Cassidy: No, I wasn't there. It was a closed meeting.

Hon. Mr. Wells: Did the member talk to the chairman of the Carleton board of education? Did he talk to the other trustees?

Mr. Cassidy: The Toronto Star on Saturday had the minister saying that he was inviting teacher and trustee representatives from the 16 boards to talks in Toronto aimed at settling teacher disputes in 16 areas of the province.

Hon. Mr. Wells: I never said that.

Mr. Cassidy: Well, that was sure the implication that was given, that the minister intended to try and find a means of settling the teacher disputes.

Hon. Mr. Wells: I never intended to settle those disputes at that time.

Mr. Cassidy: And what do we find? We have the minister coming out and again provoking the teachers by talking about intimidation and mob rule in the meeting, within 15 minutes of the meeting beginning.

Hon. Mr. Wells: I never said that at that time.

Mr. Cassidy: No, I know. That's right, the minister said it outside. But that displayed the temper of mind of the minister; and I know, and the minister knows, or he should know, if he wasn't so unintelligent, that that temper of mind, his secret attitudes towards teachers, the contempt in which he holds teachers, showed through at that meeting, Mr. Speaker. In fact, within 15 or 20 minutes of the beginning of a meeting that was ostensibly closed, there were teachers and trustees as well coming out into the lobbies, talking to whoever happened to be there, which included the press, because of the fact that they were fed up, there was nothing concrete there.

The curious thing about this, Mr. Speaker, and the curious thing about the government's handling of this whole crisis, is that during the course of those meetings there did appear to be some flexibility offered by the minister when he stated that boards could exceed their 1973 ceilings if they took the money out of 1974, when the percentage increase in the ceilings is higher than in 1973. I hope that during his reply the minister will confirm that offer, and I hope he will also assure that any board that doesn't settle before the end of 1973 will be able to carry over money in the 1973 budget that was allocated for pay increases into 1974, because without that flexibility any prospect of free negotiating that may possibly remain is completely dead.

If one goes back to the beginning of this whole crisis, back to Sunday or Saturday of last week – before the bill was brought in, before the minister needlessly provoked the teachers across the province—had the minister then gone to the 16 boards and held his meeting on the Sunday at the Skyline Hotel a week earlier, and had he then given them his offer of mediation, possibly, if they wanted it and had he then told them they had at least the negotiating room of being able to take some 1974 money and put it into 1973, I'm sure many of those disputes, if not all of them, would have been resolved. But no, the minister is unbending; has been doctrinaire, if you will, Mr. Speaker; has been a megalomaniac in this whole affair. All the denials that the government is not waging an anti-teacher battle simply fail to conform with the facts.

I am beginning to think, Mr. Speaker, I understand what it is that has moved the government. I've had some sort of explana-

tion from the press about it and it is beginning to come clear to me what is happening. It is obvious that the three brief teacher strikes of last January had an impact, on the minister in particular and on the cabinet, of a proportion we never dreamed of on this side of the House. Secondly, the government determined many months ago it would adopt a no-strike policy in education and would therefore use binding arbitration in the repulsive and repugnant way which is proposed in Bill 275.

Third, when it became apparent that negotiations were going slowly with a number of boards this fall, and when the threatened mass resignations materialized at 16 or 17 boards, the government or the minister and his advisers concluded that the principle of compulsory arbitration, which they clung to so desperately, would be untenable if there were teacher strikes or teacher mass resignations in January of this year. That was apparently what they concluded, and therefore, at any cost, they had to head that off. They were so blinkered in all of this, Mr. Speaker, they couldn't see the kind of consequences it would bring.

The government believes, says Bob Miller, that the vast majority of voters agree with its view that education costs must be curtailed. I'm not so sure now. I know an awful lot of parents are concerned about the quality in the schools.

A problem we have to face as a society over the next few years is that the majority of voters don't have school-age kids and therefore are not directly aware of what is happening within the schools. That is a problem we have to face as a society, but that doesn't change the fact that the Legislature is dealing with a minority—I know it is a large minority—that is parents with kids. It doesn't stop this Legislature from acting from time to time to meet the needs of other minorities, such as senior citizens or the handicapped. It certainly doesn't stop the government from meeting the needs of the corporate minority, which still rules this province, Mr. Speaker.

The government apparently believes the school teachers have played into the government's hand. God knows that is a sort of a heads you lose, tails we win kind of proposition, in which the teachers can do nothing right, according to that particular thinking. If they simply sat quiet and accepted Bill 274 their normal civil liberties, Mr. Speaker, would be grossly undermined. Yet if they protest it, as they are doing in a civilized, rational kind of way, using the means of protest available to a group in society, the government believes they are playing into its hands. I don't think that's right, and the fact there have been so few calls from the public when two million children are out of school today is surely witness to that.

The government believes it can convince the public that the teachers are acting cynically and in self-interest, and are crying crocodile tears about the quality of education and the sanctity of individual rights. The public doesn't believe that, Mr. Speaker. The public really doesn't believe it because it knows what's been happening. That message about the way the government has been sabotaging education has been getting through to the point where the government's own credibility is undermined.

According to Bob Miller, the government believes the public has grown weary of disputes and disruption and squabbling, and that ultimately the public will evince little sympathy for any relatively well paid and secure group which triggers either. That's a very interesting comment, Mr. Speaker, because the group which has triggered disruptions and squabbling in this whole teacher affair is the cabinet and back-benchers and government of the Province of Ontario. They are a relatively well paid and, hitherto, pretty secure group. They've been in office for 30 years, and I agree with Bob Miller that very soon the public is going to evince little sympathy for that well paid and hitherto secure group which has triggered this kind of disruption in the field of education.

Mr. Speaker, there's another point to be made about the meeting on Sunday. This didn't come out in the press, but it was certainly clear to people who were there. The way the minister has been working, he isn't only alienating the teachers; he's also alienating many school board trustees. One of the reasons that he was alienating those who were most conservative and those who basically don't disagree with the government's policy about no strikes in the teaching profession, is the way in which he called those teachers and trustees down to Toronto, the way in which he is interfering with local autonomy.

When Bill 274 came in there were about 28 days before the mass resignations were due to take effect. As I said the other day, Mr. Speaker, the last few days before a deadline on any labour dispute are the crucial ones for reaching a settlement or not reaching a settlement. The minister interfered, the powers of centralization came to the fore, and there was absolutely nothing

that could be done by the trustees to resume normal kinds of negotiations.

In one or two cases some negotiations have succeeded, but they are not the normal situations. They didn't need all of this action. But local autonomy of school boards is what the minister says he still believes in, despite all the centralizing that's taken place in education over the last few years. Financial centralization is what I'm talking about, and it has been grossly interfered with by the minister's actions, Mr. Speaker.

I think it's significant that while the minister claims his Sunday meeting had the result of getting mediators into a number of boards — and he mentioned the Ontario County Separate School Board as one of them—in fact, a very talented mediator in the ministry, Mr. McGuire, went up to Ontario county on Friday night before the meeting and in the course of one evening, as he has done on one other occasion I believe, he managed to bring the two sides together, which is a pretty sterling accomplishment. I congratulate him, if Mr. McGuire happens to be here, or if he's reading this speech. But clearly, a number of the other disputes could have been settled in the same way.

Mr. Speaker, there's another point of principle which the minister doesn't understand in Bill 274. He told the teachers and the trustees on Sunday that Bill 274 doesn't affect, directly, any of the teachers in the province—only those in the 16 areas where disputes are presently in course. I don't know what he means by "directly." I do know that the principles of Bill 275 are pre-empted in Bill 274, and that therefore the minister's offer of time in putting 275 on the order paper and all that kind of thing in order that there can be discussion or consultation, is simply a sham. It's a worthless exercise we will be going into with Bill 275, Mr. Speaker, if Bill 274 is not withdrawn. And that's what we want to see happen, along with the resignation of the minister.

It is a worthless exercise, Mr. Speaker, because the government can't back down on 275. It's imposing compulsory arbitration, and that's its principle. It's going to stick with it.

When the Minister of Education met with the trustees, and I believe with teacher representatives on Monday morning of last week to discuss 275, and when he was asking them whether he could have their consent to the tabling of Bill 275 in the Legislature, they gave it. They understood the situation; they understood the need to table the bill in the Legislature before we adjourned, as was then thought a day or two hence. He assured them there would be this lengthy period of consultation and discussion, referral to standing committee and all that. That kind of assurance was very welcome to both groups.

It was just as he was leaving that meeting, Mr. Speaker, that he said: "Oh, by the way, I am introducing another bill in the Legislature this afternoon in order to resolve the 16 situations now outstanding." I just know, Mr. Speaker, that neither the trustees nor the teachers knew what hit them at that time.

I'd like to know whether the minister thinks the teachers are an essential service or not. He said at one point during the course of that meeting that teachers are a type of essential service and therefore there should be compulsory arbitration. He said later in the meeting they are definitely an essential service. He said in introducing Bill 274 that they are not an essential service. The member for Don Mills (Mr. Timbrell) believes they are an essential service.

The government of the Province of Ontario is as fork-tongued about this as the Liberal Party is two-faced about which way it is going to go on the principle of compulsory arbitration.

Mr. M. Gaunt (Huron-Bruce): Oh, we'll look after ourselves; let the member look after himself.

An hon. member: Ah, the Liberals need help.

Mr. J. E. Bullbrook (Sarnia): The members needn't worry about the Liberal Party.

Mr. Cassidy: The minister doesn't see how the principles of this bill affect Bill 275 and yet they are exactly the same—

Mr. Bullbrook: The member talked for 15 minutes about the Liberal position but didn't mention the fact that I called for mediation.

Mr. Cassidy: The member called for some mediation, yes, but the member for Ottawa East (Mr. Roy) and the leader of the Liberal Party (Mr. R. F. Nixon) were both adamant that something be done, that something be done, that something be done. They egged the government on, because the Liberal Party in this province—

Mr. Bullbrook: We get the feeling that the member revels in this. We get the feeling that he enjoys this.

Mr. Cassidy: —basically believes in compulsory arbitration and the—

Mr. T. P. Reid (Rainy River): That is where the bill comes apart.

Interjections by hon. members.

An hon. member: And the Liberals voted for it on first reading.

Mr. Cassidy: That's right, and the Liberal Party had a half-hour caucus with the bill in front of it, Mr. Speaker,—

Mr. Eaton: Go to it, boys!

Interjections by hon. members.

Hon. Mr. Kerr: Slightly masochistic isn't he, the member for Ottawa Centre?

Mr. Cassidy: —during which time its members had a chance to understand how abhorrent this bill was, and yet they voted for it in its original wording before it was even amended by the minister when he introduced it on second reading.

Interjections by hon. members.

Mr. Cassidy: That's what happened with the Liberal Party, Mr. Speaker. But then they saw which way the winds were blowing, that's when they decided to change their stand. You can never trust a Liberal, you know Mr. Speaker.

Mr. J. Riddell (Huron): The member is starting his campaign early.

Mr. Cassidy: You can never trust a Liberal.

Interjections by hon. members.

Mr. Cassidy: You never know which way he'll jump in the interests of expediency.

Mr. Reid: Is there a psychiatrist in the House?

Mr. Bullbrook: The member is a psycho—

Mr. E. M. Havrot (Timiskaming): Sic 'im, Jim!

Mr. D. A. MacDonald (York South): The member for Sarnia better watch out; if he loses control of himself!

Mr. Cassidy: Mr. Speaker, the minister has been claiming he really has support from the silent majority out there in Ontario. I would suggest to him the way the lines are coming in, that he doesn't; he really doesn't at all. In fact, the group that surrounds the minister now has been confined to the Premier; the minister's executive assistant; I guess his deputy minister still supports him; some of the back-benchers support him because they are so retrograde—

Mr. F. Laughren (Nickel Belt): The member for Timiskaming.

An hon. member: Neanderthal.

Mr. Havrot: Supermouth!

Interjections by hon. members.

Mr. Cassidy: —and Neanderthal, like the member for Timiskaming and the member for Middlesex South—

Interjections by hon. members.

Mr. Cassidy: Other ones, like the member for Oshawa (Mr. McIlveen)—

Mr. Havrot: The hammer and sickle gang in action.

Mr. Cassidy: —support the bill because they are Tories and they don't know what else to—

Mr. Speaker: Order. Let's get back to the bill. Back to the bill, please.

Mr. Cassidy: The Globe and Mail insisted the minister write the bill, and then the bill was so bad that it insisted he rewrite it, so he rewrote it. They've confined themselves to the most trivial kind of editorials this week, Mr. Speaker, because they don't really know themselves what to say about the bind that the government has got itself into.

The Sun has been hilariously talking about classroom militance and revolution and that kind of thing. It is simply itself, and yet in an editorial that it published a bit later when it began to look at the situation, the minister's supporters in the Sun, which is probably the most right-wing of the Toronto papers, said that while, "it is easy and perhaps justified to criticize teachers . . . teachers are not responsible for policy—even though they have to take the blame when things go wrong. And in this they deserve sympathy and support. [This is from one of the minister's supporters.] For education policy is 'way out of line. . . . When cutbacks are ordered, in education as in the military, it is the fat not the lean that does the cutting." Then they go back to talking about revolutionaries. But clearly, the Sun is

no longer as unequivocal in its support as it was.

There are 100 editorial writers and 77 back-benchers, Mr. Speaker – or 77 government members–who support the bill. I'm damned if I know who else supports it apart from Mrs. Twyla Hendry, the chairman of the Ontario School Trustees Council, who is a known Conservative and who has been disowned by the eight presidents of the Metro Toronto school boards, both Catholic and public, because they, representing 25 per cent of the kids in the province, didn't get consulted by this president.

It is well known, Mr. Speaker, that as it stands right now, the four school trustees federations are not representative of the school boards for whom they pretend to speak.

Hon. Mr. Wells: He speaks for the five associations.

Mr. Cassidy: That's it. The parents of the province, who might be up in flames if they really supported the government over their kids having to stay home today–

Hon. Mr. Wells: I will show the member my list.

Mr. Cassidy: –are not protesting. The minister has said, through his executive assistants, that over time the letters to the editor will start to come out in support of the government. It's been nine days, Mr. Speaker, since this whole issue began, and I've been watching the letters to the editor, both in the Ottawa papers and in the Toronto papers. The score right now is running about five to one against the government in the letters to the editor. Because of the editorial stands of those papers, Mr. Speaker, particularly the Toronto papers, you can be sure that if they were getting any teacher and pro-government letters they would print a representative sample. They've been getting so few letters opposing the teachers they haven't got the heart to put them in.

Mr. MacDonald: They'd put them on the front page.

Mr. Cassidy: Who was against the government and who has spoken out? Five teacher federations, united for the first time in history; about 90 per cent of the teachers in the province who have been aggravated to the point where they are walking out today.

This isn't just the Metro teachers, Mr. Speaker. These are the teachers in Renfrew county, for God's sake, the member for Renfrew South's (Mr. Yakabuski) riding; in Prescott county; and in other parts of the province where teachers don't normally have this kind of militancy and where there are natural Conservative instincts. They're supporting it too, and the teachers who stay in today will be the teachers who have been delegated by their federations to carry out the responsibility of ensuring the kids who are sent to school, through accident or design or necessity, will be looked after.

The teachers are responsibile about this and the teachers in the 16 boards are staying in in order not to jeopardize the collective bargaining process. That's a tribute to those teachers, Mr. Speaker. In those 16 boards the teachers have stayed in; despite everything the minister has done to disrupt collective bargaining the teachers are playing it straight.

As members would expect, the NDP council, the provincial council of the New Democratic Party, unanimously supports the teachers. So do the Canadian Labour Congress, the Ontario Federation of Labour and the Civil Service Association of Ontario. That's interesting, because that's been a fairly Conservative group in the past.

Mr. MacDonald: They were victimized earlier.

Mr. Cassidy: They were victimized earlier and that was the group which couldn't get more than 20 people to demonstrate outside the Legislature the day the bill which denied them the right to strike was being debated here in the Legislature. It was months later when the CSAO finally woke up to what was done to it in that particular bill, but its members know now and they are ranged against the minister.

What about this? The Ontario Medical Association: The minister says the OMA's governing council's decision was unrepresentative, and yet he is prepared to accept the support of Twyla Hendry, who apparently speaks only for herself and a handful of school board trustee organization executives but nobody else.

An hon. member: For justice, let them go on strike.

Mr. Cassidy: It's very curious because the minister used to do advertising for the CMA. His own buddies have knifed him in the back because they understand what it means–

Hon. Mr. Wells: That is not true.

Mr. Cassidy: That is true, yes—because they understand what compulsory arbitration means and they understand something about people's rights. It may well be that doctors, who are well paid, understand as well the way in which teachers, who are also professionals, are short-changed in salary terms, here in the province. Does the minister deny the teachers are short-changed? I would be very interested to see what he has to say about that.

The Ontario Dental Association: If doctors are conservative surely dentists are twice as conservative. We've even got one in the House. We have a doctor and the Tories have a doctor or two, but when it comes to dentists, the only dentist in the House is in the Conservative Party. That was a bit of accurate representation of that group in the past.

The Toronto school board: The chairmen of the eight Metro Toronto school boards, who decided, in their letter to the minister after polling their trustees, and told the minister to abandon the bill, to restore free collective bargaining, to abandon the threat of compulsory arbitration. Well, when school trustees start to come—

Hon. Mr. Wells: The member should ask them the other thing; they also want no negotiations.

Mr. Cassidy: That's fine. This bill is not over working conditions; this bill is over the denial of civil liberties and rights of teachers and it is over the imposition of compulsory arbitration.

Hon. Mr. Wells: My friend is wrong there. He is wrong there.

Mr. Cassidy: Once we dispose of the question of compulsory arbitration then we can deal with the question of their working conditions.

Hon. Mr. Wells: No, this bill says if working conditions are on the table they go to arbitration.

Mr. Cassidy: All right, fine. I didn't say—

Hon. Mr. Wells: But let those chairmen of the Metro boards tell the teachers they also oppose that; let them do that.

Mr. MacDonald: The minister is trying to victimize them too.

Mr. Cassidy: I am not trying to say that the school trustees are 100 per cent on the line with the teachers.

Hon. Mr. Wells: Okay, it just balances off.

Mr. MacDonald: The minister will have everybody opposed to him.

Mr. Cassidy: But I think the evidence is pretty clear when they tell the minister to hoist the bill—

Hon. Mr. Wells: They have a little self-interest in there though, a little self-interest.

Mr. Cassidy: Well, the minister might have borne that in mind. Sometimes people do have self-interest in this province; sometimes they are compelled to because of the actions of this government.

Mr. Ferrier: The minister was acting in self-interest when he introduced this bill.

Mr. Cassidy: The minister's legislation was so lousy that in fact it offended the self-interest of the school trustees, and that is one of the reasons why they are deserting him like a sinking ship.

On balance it has got to be clear that the Metro school board trustee presidents are offended by the bill and have withdrawn their support, even though they don't happen to like the business about working conditions. And the school trustees of this province do tend to be Tories; they are the doctors and the lawyers and the accountants and the businessmen and so on, from whom the Conservative Party also derives a great deal of its strength.

An hon. member: And farmers.

Mr. Cassidy: And farmers as well, I suppose. Although the farmers are changing, you know; let the members watch in the next election and they'll see.

Mr. N. G. Leluk (Humber): The NDP will see.

Mr. Ferrier: The member for Humber will see.

Mr. Cassidy: Well, Wellington county school board is opposed to the bill and will test it in the courts, Mr. Speaker. Nipissing separate school board is opposed to the bill and has ordered the children to stay home and has declared today a professional development day so that the teachers can take the day off without loss of pay.

Wentworth separate school board sent messages home from the board office because they are showing the fact that they are equivocal, if not in full support of the

teachers. The superintendent, the chief educational officer of Brant separate school board, signed a teachers' petition against Bill 274, and it was expected that the chairman was going to sign as well. I don't know whether they have actually done it.

That was yesterday, Mr. Speaker, and I haven't had the opportunity to find out what happened at the board of education meetings held across the province last night, but I will safely predict for the minister—and he may have better information on this than I do; after all, we expected a budget debate today—that many school boards have voted to oppose the bill or to ask the minister to withdraw it in one way or another, and of those that didn't many have considered the issue, and a very substantial minority of those school boards voted against the legislation.

Mr. Speaker, I just wonder what the time is here. I'd like to—

Mr. Riddell: I don't know, but there are others who want to speak.

Mr. R. D. Kennedy (Peel South): Sounds like a long time.

Mr. Renwick: Let the member just keep on because he will be in good voice for the choral singing.

Mr. Kennedy: Peace on earth.

Mr. MacDonald: It's difficult for him to resume his speech when there are agents provocateurs around.

Mr. Cassidy: Yes. The defence the minister puts up for all of this disruption, a situation of disruption such as has never been seen in the province before, and which is almost unparalleled in fact in Canadian educational history—I don't think that the Quebec teachers ever managed to bring their schools out to the same degree of unanimity that this minister has managed to do in this particular province—is because of the minister's bullheaded insistence on the principle that the government does not feel that teachers should strike.

This is a line of reasoning which I think ought to commend itself to the government. It is open to many extensions, Mr. Speaker. I am sure the minister knows, and his colleague, the Minister for Community and Social Services (Mr. Brunelle), and particularly the superminister of Social Development (Mr. Welch) knows, that we face a serious problem in Ontario and in Canada with divorce. The number of divorces is rising every year and, in the view of some people, it has become a serious social problem.

Now I predict that following on the reasoning of this minister, who has disrupted and blocked any form of free collective bargaining in order to stop strikes, if a Conservative government were ever to be elected in Ottawa, the new federal Minister of Justice, who probably would come from Scarborough North or thereabouts—I think Mr. Stackhouse would be a very fine man to take that particular job because of his advanced social views—

Hon. Mr. Wells: Excellent fellow; first-rate fellow.

Mr. Cassidy: He would bring in a law to outlaw marriage, and in that way he would solve the divorce problem once and for all in the same way that the minister seeks to resolve the strike problem.

Hon. Mr. Wells: Mr. Stackhouse would never do that.

Mr. Cassidy: We have a problem with air crashes in North America, Mr. Speaker; the answer, according to the minister, is very simple—we simply ground all the planes indefinitely. We have a problem with motor accidents, which comes under the provincial ministers; it's quite obvious the answer is simply to prevent any motorized traffic in future, apart from government limousines for ministers.

Again at the provincial level, Mr. Speaker, it's well known that teenagers are a dreadful problem in the views of some people. There are problems of sex. There are problems of crime. There are problems with drugs. There are problems with unemployment. They sass the little old ladies in the subway. It's very simple: I anticipate that when this minister is transferred, as we know he is going to be, he will be given some other position in the government where he will be able to deal with the teenager problem.

That's it! We'll make him the Minister for Youth and give the member for Scarborough East (Mrs. Birch) some other portfolio. And as Minister for Youth, he will bring in a bill declaring that henceforth no person will be permitted to reside in the Province of Ontario for more than 30 days if they are above the age of 12 and below the age of 20.

Mr. Eaton: That's ridiculous.

Mr. Cassidy: And we will have resolved in one stroke, Mr. Speaker, the entire problem of teenage sex, crimes, drugs and unemployment.

Mr. Eaton: Not only is the member ridiculous himself, he has a ridiculous audience.

Mr. Speaker: Order. Order please.

I must point out to the people in the galleries that they are our guests, our visitors. There are certain rules that must be observed; amongst those rules is the fact that they must not applaud, participate in any way or demonstrate. I am sure they will observe those rules; perhaps they weren't aware of them. I ask them most respectfully to observe the rules for visitors in the galleries.

Mr. Cassidy: Mr. Speaker, I want to inject a personal note here. In this whole discussion about Bill 274, the government has taken a sort of cynical, anti-teacher kind of stand, and I'm finding it hard to be political about it. I feel very seriously and very concerned about what's being done to education.

There is not a word, not a line, not a thought uttered by the government about the real problems in education at this time—the fact that there are mounting pressures on teachers because there are increasing demands on teachers; the fact that the guidelines are having adverse effects; the fact that the scale of teacher pay has been lagging behind pay for other professions and for public employees. Maybe the minister noted that the firemen in Metro Toronto, who now earn $12,000 or $13,000 a year, are seeking another 16 per cent or 18 per cent pay increase. Now, some of my best friends are firemen, the member from Hamilton-Wentworth being a notable one—

Mr. J. R. Breithaupt (Kitchener): A notable friend or a notable fireman?

Mr. Cassidy: I think that firefighting is a dangerous and important occupation, but the scale of values which says that teachers receive on average less than $8,500 at the elementary level while firefighters get $12,000 or $13,000, suggests to me that something is distorted.

There is also the insecurity that teachers face; they fear they may be declared redundant, because they have been forced in board after board to take teaching responsibilities that are not their areas of specialization. This has caused enormous concern, unrest and lack of morale. And there is the fact that relationships with the school boards have been deteriorating.

Somebody said to me the other day: "When you and I went to school back in the 1930s, the 1940s or the early 1950s, there were 32 kids in the classroom. Surely, it's no different today." But when I went to school, Mr. Speaker, which is longer ago than I dare to admit, there were upwards of 30 kids in the classroom, but the whole method of teaching at that time was much different. Some of us survived; a very few of us may have gotten a bit of individual attention from the teachers; in the main, we worked as a group, by rote, and the whole group travelled together.

An enormous amount has happened in this society since then. We don't take kids forward by rote any more. We deal with them in an individual kind of way. We are dealing with kids who have an enormous fund of knowledge, through TV and other means that they didn't have before.

We are dealing with kids who, age for age, have got far more potential than similar kids of 30 years ago. I firmly and honestly believe that. But it is a potential which is not being realized and which won't be realized if we simply seek to maintain or to go back to the working conditions for teachers that prevailed 30 years ago.

For that matter, Mr. Speaker, when I was in grade school, people were working a 48-hour week, the people in offices were working a 44-hour week, and teachers were also working that kind of week. They probably still are. But, at the same time, there is a different kind of society afoot. Are we simply going to say to teachers: "Look, despite the fact that every other group in society is on a 35-hour week, getting eight, nine or 10 per cent pay increases and so on in quite a different society, we are going to keep you in 1948 conditions"? Well, effectively that's what's happening.

I have a personal concern too, Mr. Speaker, because I have kids in the public schools. I have three children, one in senior kindergarten and two in grade 4, and I must say that I'm very concerned about what has happened to my children during the course of their careers in the public schools.

As I said the other day, Mr. Speaker, I haven't got it in me, under almost any circumstances I can think of, to take my kids out of the public system. I believe that every parent who cares about education should keep his child in the public school, and if he's concerned about what's happening there

he should go and fight and do whatever he can in order to try to improve the quality of education in the local school. I have done that myself in our system up in Ottawa. My wife also has been very involved in the local school system this year, when we happen to be living in Toronto.

But one can't get blood out of a stone; and parents and other people wanting to get involved like this simply can't make a system, that is being degraded and deteriorated, into a good one if there are not the financial resources and there is not the kind of commitment on the part of this government in order to make it a good one.

Being in touch with the school where our kids go, we can see the very subtle signs of what has been happening in the schools and what is affecting quality of education.

The minister simply may not be aware that teachers get tired earlier each fall. It used to be that the week before Christmas, this week, a teacher sort of had had it and the kids had had it as well, so they'd skate ahead and not do very much for the last three or four days.

That's perfectly normal. There is nothing the matter with that. But now that kind of fatigue and the feeling of the teachers that they can no longer teach effectively sets in, not in the last week of December but in the first week of December or even mid-November. It is even worse when they get to the spring months and there is the long haul ahead, after the mid-term break, up until June.

Teachers are increasingly going off for mental health days; they just can't take it and they have to stay at home. They are coming down with respiratory diseases — colds and that kind of thing—because their health is being affected. I've seen teachers in the classes that my kids are involved in—the member for Oshawa shouldn't laugh because it is true.

Mr. C. E. McIlveen (Oshawa): Well, I laugh at that statement. There is no background for it.

Mr. Cassidy: It is true. It is perfectly true. I am speaking from my personal experience.

Mr. McIlveen: With one teacher?

Mr. Cassidy: No, it happened throughout Elgin St. School in Ottawa; it is a fine school, and it has a good reputation of teachers having to spend three or four weeks off school because of serious illness during the course of the winter. That wasn't happening three or four years ago, before the screws started to be put on the system by the present Minister of Education, but it is happening now.

It means my kids are not getting the quality of education they deserve and could have, Mr. Speaker. They are subject to situations in which the extra help which might be available for the difficult kids in the classroom isn't there. In our particular school in Ottawa the support for a large proportion of immigrant kids isn't there. They are subjected from time to time to a situation in which beginner teachers, probationary teachers, are thrust into a classroom and have difficulty coping with it in their first year without adequate support from a master teacher.

I had a dream when I came into this place, Mr. Speaker. I had a dream about education because I am concerned about it, particularly at the elementary level. My dream was that over the course of this decade, the 1970s, with declining enrolments and a large number of qualified teachers available and the standard of qualifications of teachers rising, we would be able to make the Ontario elementary system into something which was second to none over the course of this decade.

That was my dream, Mr. Speaker, and it just isn't happening. That dream requires adequate resources. It requires a commitment. It requires that there be a co-operation and sense of trust between parents and trustees and teachers and kids; and that sense of trust between all of those groups is being disrupted by the government.

I find that even the ceilings policy as it is being put forward for 1974 takes no account of the kind of situations school boards are being put into.

The minister said, when he was meeting with the teachers and trustees, that after 1974, it was going to be okay, the government was not going to put the screws to them in quite the same way again. Yet when I have talked with school board financial people, they tell me no allowance is being made, for example, for the fact that new teachers coming into the system, effective this year, will cost about 25 per cent more in salaries because they will have to have a level four. They have to have a BA before they go on.

There has been no talk about the added increments and the higher ultimate pay scales for these same teachers, which are, in

many cases, 30 or 40 per cent higher if not almost double the level which can be reached by teachers on level one. These things are simply not being asked.

Mr. Speaker, I want to say a few words about the kind of advice the minister could have garnered had he and his people looked at the options and the expert kind of advice. As I said before, he says he doesn't believe in strikes and that's an immutable, inflexible principle before which anything else in the education system must fall. That's what the minister says.

The terms of reference for the Reville commission were that whereas it was deemed desirable to establish effective negotiation procedures, between teachers and the school boards of Ontario—note the words "effective negotiation procedures"—the Reville report's introduction, as I am sure the minister is aware, spoke specifically about the truly remarkable rapport in relationships between teachers and school boards; about the way in which they had developed over many years a modus vivendi for negotiations which had been notably successful in eliminating strife and rancour and in achieving results which had recognized both the aspirations of teachers and the public accountability of the school boards.

Both teachers and school boards have exhibited a degree of responsibility in the past which has been the envy of those in other jurisdictions whose systems have been torn or rent by strikes and bitter conflict between teachers and school boards.

The report's introduction mentions the kind of problems they thought were being developed, but the aim, the committee said, was that the committee hoped to preserve and perpetuate the still subsisting rapport between teachers and school boards in Ontario by those recommendations. In fact, as the minister knows, the Reville commission failed in that because it was so biased and one-sided. Nevertheless, the basis for that kind of rapport existed until Bill 274 came in.

Although the committee failed at the task, the Reville report, or Judge Reville, sought two widely differing but related goals; fair and just compensation of teachers and the recognition of the contribution which teachers as professionals can and should make to the educational system in the development of educational policy and its application in the classroom.

It may be that references to terms and conditions of employment in this particular bill represent some movement toward the OTF and towards the teachers for the involvement of teachers as professionals in the development of the educational system at the bargaining table as well as through other channels. If that is the case, then we welcome it; but as for the fair and just compensation of teachers, it is very clear that is simply not going to occur. It wasn't going to occur under the Reville commission and it won't occur under the particular provisions that are put forward by the minister.

I want to look at some of the advice that was available to the minister on this question, specifically about how one resolves disputes between teachers and school boards. The Federation of Women Teachers' Associations of Ontario, quite naturally, pointed to the Reville commission's own findings about the harmony that existed, better than in almost any part of North America, and said that to take a record like that, unmatched almost anywhere, and to advocate change in the procedures that produced it seemed to be foolhardy and very much against the public interest. What they recommended, in other words, was that the legislative powers to bargain which didn't exist before be legislated, but that the system created resemble as closely as possible the ad hoc system which teachers and trustees have so successfully created over the last 20 or 30 years.

A year ago the Catholic teachers of the province held a series of orderly, responsible demonstrations in order to seek fair and democratic collective bargaining legislation in response to the Reville committee report. I think the hon. minister knows where they stand. The Ontario Teachers' Federation, in its submission to the ministerial committee that was considering the Reville commission report—I hope that is fair—stated something which I think is very important. I think the OTF has been right on in this particular dispute and it is very interesting the way in which it has arrived at its conclusions. Probably the composition of the OTF is very interesting as well.

I have stated earlier that the OTF was not as militant as some of its affiliates. I think that is true in that it might quite conceivably, and by accident perhaps more than design, validly speak for the temper of the teachers of this province as they were before last Monday. The OTF said to the minister:

> Any attempt at solution of disputes in bargaining should avoid using only a single means of achieving the end of

resolution of conflict. Each party, faced with the same repeated procedure, will find means of reducing the impact of that procedure.

The provision of several methods of solution is desirable. These various methods should have the effect of retaining the onus of settlement on the original parties as long as is practicable. Only in this way can the transfer of obligations to an outside party not become an overhasty route. All of us are prone to seek magic solutions in which we are uninvolved.

The minister most of all, of course Mr. Speaker!

Then the teachers noted that federal employees, given the right to strike, have in a two-year period exercised that right on one occasion.

The Woods report felt that this was a small price to pay for the benefit gained. "The denial of the strike to employees creates a desire for the right to strike." I will repeat that for the minister, because I think it is a very important point. "The denial of the right to strike to employees creates a desire for the right to strike."

Or putting it another way, if the legislation put forward as the big bill, the long-standing Bill 275, had included as one of the means to resolve conflict the use of sanctions, including the right to strike, the minister would have found that the fact that that ultimate recourse was available would have in itself contributed tremendously to reducing tensions and mistrust between teachers and the government, and therefore would have aided enormously in a policy which the minister could have quite positively and justifiably put forward of seeking to resolve teacher disputes wherever possible, without recourse to that kind of sanction. If that was the policy of the minister I would, frankly, find it very difficult to disagree with it. But the policy of the minister has been to deliberately and cynically aggravate the teachers of the province.

I'm reading again from the OTF brief:

Legislation of provision for strikes leads to the fear that the sanction may be used indiscriminately. Even the most avid opponent of strike will concede that in extreme cases it may be the only remedy.

In other words, while the fear of indiscriminate use is there, even the most avid opponent of strikes will concede that in extreme cases it may be the only remedy. I'll have some more to say about that in a minute, from authorities who are not de parti pris to this particular dispute, as the OTF is. Obviously, the people I've been referring to up until now are people or organizations that might naturally be assumed to disagree with the minister over this question of compulsory arbitration.

The OTF, speaking for 105,000 teachers, believes that any denial of the right of employees to use sanctions, unless there are overwhelming reasons for doing so, tends towards a creeping form of totalitarianism which denies the employee many of his rights as a citizen. Carried to the extreme, this practice would have the state ordering the complete life of its citizens. The hazards of permitting sanctions would be a small price to pay to avoid such an extreme.

What's happening here, Mr. Speaker? I've heard the taunts from the hon. member for Middlesex South and the hon. member for Timiskaming and other hon. members of the government, about the way in which socialists push people around and take over everything and that kind of thing. We've got a spectacle here of a government moving in that direction, a government arousing a pretty conservative profession in the past, to the fear that if this legislation were passed against teachers, this would lead to the point where the state was ordering the complete life of its citizens. In other words, if you will, the teachers' federation can see this leading to some kind of a Bill Davis communism.

Is that what it is? I don't know. It certainly is a totalitarianism of some sort. I suppose fascism is a better word. But nevertheless, it's a kind of totalitarian approach. They've certainly taken that with teachers and they've taken it with hospital employees.

Mr. Speaker, who else is next? I have some quotes from the minister, I'd just like to point to. The minister, in response to that kind of thing, stated in introducing the bill: "I further said that I was not saying that education is or should be universally considered an essential public service..." In other words, taking the double negatives out, he doesn't consider that education is an essential public service, the kind where there's an overwhelming reason for outlawing the right to strike.

The principle he has advanced here is a very dangerous one. For fear of victimizing, in his words "young people", which is unproven, he is prepared to withdraw the civil

rights of teachers, even though he concedes that education is not an essential industry.

Well then, the question is, who's next? If this principle is accepted by the Legislature, and is accepted by the hon. member for Oshawa and the hon. member for Muskoka (Mr. Miller) and the other members of this House, then I don't know what is next.

Mr. McIlveen: What is accepted? I haven't been listening.

Mr. Cassidy: Then let him listen right now, because I'll tell him.

If the minister says, although education is not an essential service he cannot go along with the right to strike, and therefore he can take away civil liberties from the educators, from the teachers, the next step is surely, if caretakers and school board staff threaten to shut down schools, as they did in Sault Ste. Marie for 10 days a few months ago, they must be denied that right. They're not an essential service, but nevertheless they're interfering with the right of children.

The university professors are in the same category as teachers. Surely they should not be allowed to interfere with the future careers of the brilliant young men and women who will eventually be running this society and running this province. The community colleages have already had that privilege of free collective bargaining withdrawn in the Act that affected the Civil Service Association of Ontario. If we're talking about essential services and services that the minister can consider to be partially essential, what about the garbage men?

It's curious that the government, which can't brook 10 teacher days lost in Schreiber through a possible mass resignation for a day or two, could allow or could sit idly by while the garbage men were out for 30 days or so in Toronto and for some other period in Hamilton. Surely that's a pretty essential service. So they've got to go, along with municipal employees generally. Isn't it victimizing kids for municipal employees to shut down the swimming pools or not to snowplow the roads in Ottawa and therefore, to keep people from getting to their schools and their work?

Isn't it victimizing children or some other kind of principle in the same way for them to be denying the services that they provide to senior citizens? Then we have got to withdraw the right to strike to municipal employees.

What about public transit? It is certain the school bus operators would be victimizing children if they went out on strike, so they have got to be covered. And then there are the transit operators—the TTC and the Soo bus system, and the other systems around the province, are responsible for getting a lot of kids to school. We had better take it to them.

What about trucking where it is under provincial jurisdiction? That surely is an essential service, Mr. Speaker, according to the kind of definitions the minister draws. It would be victimizing kids for them not to get the free premiums that come on the boxes of cornflakes that are brought to Toronto by truck. Food stores are another. Hydro: The government went along with a 37-day shutdown at Hydro. Certainly there was some effect in the province, although the supervisory staff managed somehow to keep them operating; but the government went along with that particular strike.

But according to the minister, no; his principle is that whenever he can see any harm to what he defines as the public good in a narrow, blinkered kind of way, then he has got to outlaw strikes and kill free collective bargaining.

What about fuel oil? Surely it's essential in eastern Ontario and in northern Ontario—and in the last few days, pretty essential in Toronto as well. The right to strike in the fuel oil delivery industry must really, according to the minister, be taken away.

Well, we had sob stories in the Globe and Mail about some grade 13 students whose entire future would be lost because they wouldn't be able to take an exam today. Well, the Globe didn't realize, in the first place, that most high schools don't have exams; in the second place, those that do, tend to have them in January or February; and in the third place, the teachers are responsible enough that they have made arrangements either to postpone those exams or to hold them in the schools today.

But, surely, one can draw an equally poignant kind of picture about what could happen in the case of a Bell Telephone strike if an elderly senior citizen were reaching for a telephone in order to call her daughter for help, and couldn't because the phones were out because of a strike.

All right, we take that kind of risk in our society. In fact, when we have these strikes in what are really essential services — like hospitals; like the Saskatchewan medical strike—it's very interesting to find the damage that people anticipated isn't there, because people do behave responsibly.

There was emergency service in the Saskatchewan medical strike; and that was a group that was opposed to the CCF government. When the Quebec hospitals were out on strike, there was not a single death in the Quebec hospitals attributable to that particular situation.

What about CN, CP; what about the railways if they came under provincial jurisdiction? What about taxi drivers? They provide an essential service for many people who simply can't get around by public transportation because they are partially disabled, or are too old to use the subways. What about clothing, restaurants, hotels, newspapers?

What about the construction of schools? What about the schools being constructed in a new development up in the Premier's area in Bramalea? Is it victimizing the kids if the workers there happen to go out on strike and a school doesn't get open on time? I haven't seen that argument used by the government in the past; but the principle of this bill is that in the future the government will, on any occasion when it deems fit, use that kind of argument to take away the right to free bargaining from working people.

What about gasoline refining and distribution—the service station people? Automobiles are a pretty essential form of transportation, including transportation of children to their schools. What about the ferries, what about the hotels, what about companies in one-industry towns? We had an instance up in Fort Frances, which is pretty much a one-industry town, where the entire town was going down the drain because of a four-month strike and I don't think the government even knew the situation existed. It took months before the government came along to try to coax and cajole and to see whether the two sides could not be brought together.

Jobs in a one-industry town could be considered to be a pretty essential kind of thing. A lot of merchants, food stores, bus operators, taxi people and other services depend on the basic primary industry of that town, whether it is steel, forestry, pulp and paper or whatever it happens to be. If the major industry in a one-industry town goes out on strike, does the minister defend taking them back as well? I don't know. But the principle is there.

The point is, Mr. Speaker, that by the time they've finished there isn't a heck of a lot left of free collective bargaining anywhere in the province, and that's because the government basically is pretty reluctant in its belief about free collective bargaining. If the principles of this bill were carried to the logical extreme—and there is no sign in the arguments put forward by the minister that they could not be carried into many other fields, because those arguments against the right to strike are so flimsy and insubstantial—then in fact we would be into a kind of right-wing totalitarian system which any of us on this side of the House, either the New Democratic Party with its traditions or for that matter, I would suggest, the Liberal Party with its traditions in the 18th century Whigs, would find totally abhorrent.

Any diminution of the free rights of an individual in this society tends to diminish you, Mr. Speaker, the member for Riverdale, me and everybody else in the society as well. I've got to stand on that principle. If government is going to restrict the rights of workers, then there must be compelling reasons to do it, and I'm suggesting that those compelling reasons are not provided here.

Now, the Ontario English Catholic Teachers' Association stated to the minister:

> If the experience of other jurisdictions is any guide, compulsory arbitration by itself will not prevent withdrawal of services; it will merely make such withdrawal illegal. This is a particular problem if employees are not given an opportunity to raise and discuss issues of concern to them.
>
> It should be noted [they say] that the major factor in persuading federal government employees to opt for conciliation has been the limitation of items which are arbitrable.

In other words, they've got to talk about working conditions in the federal government labour relations situation because they can't get to arbitration on working conditions.

The OECTA also states, and I think it is correct:

> 1. Compulsory arbitration undermines the collective bargaining process. The knowledge that a third party will decide on any persistent disagreement encourages unrealistic proposals at the outset and discourages meaningful negotiations.
>
> 2. An imposed settlement, which may be regarded by either or both parties as unjust, will prevent the resumption of good relationships between the parties.

Just what's going to happen to the 14, 15 or 16 boards that are left right now when, in addition to all of the damage to teacher-trustee relationship that the minister has

created in the last two weeks, there is the additional damage created by a compulsory arbitration award sometime in January or February? Compulsory arbitration does not prevent strikes. It makes them illegal.

Mr. Speaker, the OECTA looked at the questions of the various sanctions that might be provided; it looked at them one by one. Working to rule, first, they said—

Mr. Riddell: Has the member got the rule down yet?

Mr. Cassidy: No. Working to rule, they said, is a most unsuitable means of sanctions for teachers. They don't like it because they're professionals, and they don't like to withdraw that kind of service from children. They want it to be clean, and I think they're right. They don't regard the withdrawal of extracurricular services as working to rule, since their extracurricular work is beyond the work required in the contract anyway and they feel it is of limited value.

The OECTA, which has used the mass resignation route, doesn't like that either. It states that it is a step to be taken only in the most dire circumstances and it would prefer another route. Again we agree with them.

They feel, though, that the right to strike is perfectly compatible with their professional status and that is what they suggest. They point out that the strike route may be used on occasion and has been used on occasion in an entirely professional manner—as I believe it is being done in this particular case—and that professional duty may compel professional workers to withhold their services under certain circumstances.

For example, if a professional is forced by conditions to supply an inferior service damaging to his client, or if he is forced to compromise his standards, then professional ethics demand that he withdraw his services. So a doctor will refuse to practise surgery under insanitary conditions in a hospital and a lawyer will refuse to serve a client if he is expected to act dishonestly.

We don't question that kind of action. Yet the minister questions teachers when they start to bargain because they are so desperately unhappy with the degrading of professional standards that is occurring within the schools.

Doctors and lawyers don't work for an individual employer, as the OECTA points out, and therefore they don't strike en masse, or rarely. But they have done so en masse where they have been negotiating with a government where their position has been similar to that of the teachers, and that has been the evidence both in Saskatchewan and in Quebec.

So the OECTA concludes that so it is with teachers. If they have to teach in overcrowded classrooms and if they have to compromise their professional standards, if they are to be denied their just rewards for their professional skills, and if they have used all other reasonable means to correct the above conditions, then it is not difficult to reconcile their duties as professionals with their voluntary mass action of withdrawal of services. That, I suggest, Mr. Speaker, among other things is what we have here today.

A strike which inconveniences the public is tolerable. We have had dozens of them in the province. It is one of the costs of our freedom in the province. We can afford it. We can afford a garbage strike in Hamilton for 34 days or however long that goes on. We can afford the risk of having a few strikes, Mr. Speaker. I am sorry, I lost my train of thought there.

Interjections by hon. members.

Mr. Cassidy: The point is that obviously a strike in the schools inconveniences parents and inconveniences the kids, but there are so many other ways they are inconvenienced. The member for Thunder Bay (Mr. Stokes) says more days are lost through inadequate roads and not being able to get kids to school than are ever lost through teacher disruption or teacher disturbances. The schools are closed temporarily for holidays and for teachers' conventions.

I was suggesting the other day that the sudden increase from two to 12 professional development days during which the schools are closed was an arbitrary victimization of my kids and of other children of the province. The desire of teachers for professional development days could have been met with less disruption. They could have had the 12 professional development days if budgetary provision had been made in order to provide that supply teachers were available on six of those PD days for each teacher, so that the children would lose only an additional four days of school but the teachers would have the full 12 days, which I think they are entitled to. But no, the minister won't move in that particular direction, Mr. Speaker. He just keeps on blaming the teachers for this whole situation.

It is a classic in labour relations in this province—and the OECTA pointed this out, too, in its brief to the minister—it is a classic

that when negotiations have been stalled and management in a particular company refuses to meet and refuses to do anything or puts up a totally unacceptable offer that is clearly inadequate and clearly is far less than it can afford; when management stonewalls for months and months and months while the frustration of the workers rises and rises, it gets into the news on the day the workers call a strike vote and walk out.

The way the media play it is, "Workers walk out." If it is a big industry or an important industry, one of the right-wing editorialists of the province promptly puts in an editorial saying, "The workers have done it again. When will we be in a position where we do not have these strikes across the province? Why is it that workers are always letting the side down?" etc., etc. I haven't got the words here. He may even go on to refer to revolutionaries and classroom militants, if it's the Toronto Sun. But never is there a shred of blame in the media placed on the conditions which eventually led the workers to walk out.

It's the same reasoning in the press and the same reasoning by the minister as might lead the minister to say that because she declared war first, Great Britain was responsible for the Second World War.

Mr. Speaker, when the OSSTF in its submission was referring to the Reville committee report, it rejected compulsory arbitration and its advice to the minister recommended, among other things, that there should be the right to strike. I can't put on to the record the kind of model that the OTF and the various affiliates have put forward when they were making a submission to the minister. But, if I can put it into words, Mr. Speaker, the OTF sought in its presentation to the minister a legislative model that would virtually duplicate what exists right now but would give teachers a legislative right to bargain, which is granted only voluntarily by the boards at this particular time.

They sought to duplicate what existed right now because they reckon that it was working pretty darn well—only three strikes in 30 years. Their model would have had negotiations on a timetable. If neither side chose to go to conciliation, then they would go through to compulsory arbitration, but since they would have had resort to conciliation, the route to compulsory arbitration, if matters could not be resolved between the parties, would in fact be one that was chosen by both sides. If they went to conciliation, which, as I recall, could be triggered by either side before a certain date or by both sides in a subsequent period of 15 or 30 days, then there was another way of resolving the dispute there during conciliation on mediation or whatever one wants to call it. The parties could then decide to go to voluntary binding arbitration.

Given the temper of teachers and the responsible way in which they have behaved in the past and the feelings they had about walking out on their schools up until a week or so ago, before the minister brought in this legislation, I predict those disputes not settled by collective bargaining and not settled in conciliation would have gone on, 99 out of 100 times, to voluntary binding arbitration, with the kind of people that teachers are or were.

Then there was the alternative route of sanctions, but that's right down at the end of the road, Mr. Speaker. Even if a group of teachers says, "Okay, we are going to exercise our right to strike," it doesn't mean the strike will actually take place. Of course not. They set a strike deadline and then at that point, under that kind of stress, the negotiations begin to speed up and get serious where the school board hadn't been serious about them before. Again, nine times out of 10 the dispute is resolved.

I'm sure the minister is aware that 95 or 98 per cent of the labour situations in the country as a whole are settled without strikes. The fact a strike exists doesn't mean it is going to take place. In fact, the record shows, Mr. Speaker—

Mr. Bullbrook: I didn't follow that.

Mr. Cassidy: —that the denial of a right to strike—

Mr. Bullbrook: The fact a strike exists, it doesn't follow that it is taking place, the member said.

Mr. Cassidy: The fact that the right to strike exists does not mean the strike will take place, as the government so paranoiacally believes.

Mr. Bullbrook: I thought the member said the strike is taking place.

Mr. Cassidy: The denial of the right to strike, Mr. Speaker, simply means you will get strikes by other means. I'd like to point to the record in Australia, which has a work force about half that of Canada and yet has had three times the number of strikes that we have had here in Canada. The minister will agree that the figures from the International Labour Organization in Geneva,

which is run by government, representatives of management and representatives of labour are impartial and can be trusted.

Those figures, not for little wildcat strikes but for strikes of more than 10 days' duration, show there were 1,350 strikes of 10 days or more in Australia in 1965, compared with 501 in Canada; and in 1969 there were 1,700 of those strikes in Austrlia and 582 in Canada. What is interesting about that, Mr. Speaker, is that the right to strike doesn't exist in Australia. They have labour courts and compulsory arbitration. Every one of those strikes that lasted for more than 10 days in Australia was illegal. The existence of compulsory arbitration—

Mr. R. Haggerty (Welland South): They go out for minor grievances. The member knows that.

Mr. Cassidy: For 10 days or more in a situation where strikes are illegal? It is clear that where we have the right to strike, as we have here in Canada, then among other things, we have a means of resolving those minor grievances so they don't build up and fester the way they say they do in Australia.

I know that the member for Welland South believes in compulsory arbitration and would have voted for this bill on second reading, as he did on first reading, if it hadn't been so objectionable and if the teachers hadn't got to him in such a way.

Mr. Haggerty: I believe in arbitration. I'll tell the member that much.

Mr. Cassidy: He believes in arbitration. Okay, the member, like all of the Liberal Party, believes in arbitration and where necessary they believe in compulsory arbitration as well.

Mr. Haggerty: No, no.

Mr. Cassidy: That's dead right.

Mr. Bullbrook: Tell us how many of those strikes in Australia lasted more than 10 days.

Mr. Cassidy: In 1969 in Canada, where the right to strike was legal in every province, there were 582 strikes that lasted more than 10 days. Okay?

Mr. Bullbrook: Is the member not going to tell us?

Mr. Cassidy: In Australia, with half the work force, in 1969 there were 1,713 strikes that lasted more than 10 days.

Mr. Bullbrook: And they were all illegal strikes?

Mr. Cassidy: And they were all illegal strikes, yes. Does that answer the question?

Mr. Bullbrook: Yes, that answers the question.

Mr. I. Deans (Wentworth): Does it answer the question of the member for Carleton (Mr. Handleman) too?

Mr. Cassidy: Yes, does it answer the question of the member for Carleton?

Mr. Deans: Is that the question he wanted answered? You see, we have the answers. The members opposite never seem to have the answers.

Mr. Cassidy: I apologize that I don't have more up-to-date statistics, but I think these are indicative of what has continued in Australia. Hopefully that will be resolved, now that there is a Labour government in Australia after 30 years of rule by a government very similar to the government of the Minister of Education and the Premier.

Interjections by hon. members.

Mr. Cassidy: Mr. Speaker, the point is that compulsory arbitration as a means of preventing strikes doesn't work; in fact, it tends to provoke strikes, and the strikes it provokes are illegal. And the minister is forcing the teachers into positions of illegality. There is nobody in this House if this bill is passed, who is going to go to the teachers and say, "Look, disregard it and go out." Nobody is going to do that—

Mr. Eaton: What about Manitoba, where the producers have been waiting two years to get on the board there?

Mr. Cassidy: Yet, if a compulsory arbitration situation is created and if the other objective conditions about a deterioration in the professional teaching quality and the quality of education go on, sooner or later the strikes that have been outlawed will reemerge in spades; they will be harder to control and they will be illegal because of what the government is doing.

I've got a few more authorities here, Mr. Speaker. Ed Finn, who is with the Canadian Brotherhood of Railway, Transport and General Workers and writes a column in the Toronto Star, puts this point, which the Star has endorsed on a couple of occasions, I believe. He says:

> Either the work of public employees is so unimportant that it doesn't merit industry-level remuneration, in which case such employees should be free to strike, or their work is in fact so essential that they must be denied the right to strike, in which case they should be automatically compensated on a scale that reflects their importance.
>
> The price of eliminating or minimizing strikes by workers whose services are vital to our well-being is to recognize the essential nature of the work and compensate those workers accordingly, without requiring that they strike or engage in any other form of coercion.

The minister says these workers are not essential. As I was suggesting in the House on Friday, if half the elementary teachers who are responsible for my kids and yours, Mr. Speaker, and the kids of other people in this province, are paid less than $8,500 or $9,000, it suggests to me, by contrast with other professions, they are being very seriously underpaid. Their work, it seems, is so unimportant according to the minister, he should surely give them the right to free collective bargaining and, maybe, in a free collective bargaining situation they can make the points they need to make. I will grant the minister that Mr. Finn is a labour spokesman and therefore again had a de parti pris on this particular kind of argument.

The minister's advisory committee on teacher contract bargaining in Saskatchewan recommended specifically a two-route system by which, in advance, the teachers' federation or affiliates bargaining with a particular board would choose either voluntary binding arbitration or the use of sanctions; which route was ultimately used for the resolution of any conflict which wasn't resolved in free collective bargaining and which route was ultimately used would be decided upon in advance; the rules of the games would be set and everybody would know them.

In this particular case the rules of the game were changed by the minister in midflight. That's a report to a New Democratic government in Saskatchewan, and a report prepared not just by a bunch of radical teachers but by a cross-section of teachers, trustees and other people who were concerned with education in that province.

On Jan. 11, 1971, the teacher-trustee liaison committee at the provincial level recommended a number of things in relation to teacher-trustee negotiation. They suggested specifically—I am trying to find the reference here—

Mr. S. B. Handleman (Carleton): How about Bills 274 and 275?

Mr. Cassidy: I am sorry. I haven't got the specifics here. It doesn't happen to be in the part I took out—here we are. They recommend that after a series of steps, including the involvement of the school trustees' federation and the teachers' affiliates or the OTF affiliates in negotiations, failing a satisfactory settlement through all those steps, Mr. Speaker, the parties involved—meaning local staffs, federation affiliates, school board trustee associations or the Ontario School Trustees Council—shall be at liberty to take such action as they deem fit and proper.

What that means, as I read it, Mr. Speaker, is the trustees accept that, if everything else fails, teachers should have the right to strike. At the same time the teachers who sat on this important committee accepted that the present restrictions on the right of the trustees to lock out should be listed. That's a balance and that was proposed but the minister didn't consider that. When Twyla Hendry says, "Our hands are tied because we can't lock out," the minister's answer is not to unbind the hands of the school boards, it is to bind the hands of the teachers by denying them free collective bargaining.

Hon. Mr. Wells: Would the member let school boards lock out the teachers?

Mr. Cassidy: What is that?

Hon. Mr. Wells: Would he let—

Mr. Cassidy: I will come to some more information about this, Mr. Speaker, but I will say to the minister when teachers strike—if they had the right to strike—or when school boards lock out, it is a different situation from, say, a strike in a small machine shop or something like that. If 1,000 workers go out in a plant in Scarborough or Etobicoke, the public interest is not really affected for some weeks, at any rate. But if a school board were to lock out or teachers were to walk out, the public interest in that strike is very directly reflected. There would be a lot of public pressure on the teachers to get the hell back in and a lot of public pressure on the school boards to reach a settlement, to withdraw the lockout and not to be arbitrary about it.

I happen to believe that is the best means by which the public interest in these teacher-trustee disputes—which are undesirable—

should be reflected rather than simply by an arbitrary rule that says under no circumstances, at no time and in no way.

Hon. Mr. Wells: There is no way a school board can have the power to close the schools during collective bargaining.

Mr. Cassidy: Yes, I am suggesting that that should be seriously considered.

Hon. Mr. Wells: The member is seriously suggesting–

Mr. Cassidy: I am seriously suggesting that that should be seriously considered. If the minister wants to pick that up when he is talking in the debate, that is fine.

If a school board locks out the teachers, and effectively therefore locks out the children, or alternatively locks out the teachers and makes arrangements for the children, as are being made in the school boards today so that they are supervised but there is no education going on, there is a very powerful influence of public opinion on that. The school board has to demonstrate that it is simply beside itself, that there is absolutely no other way that it can deal with a group of teachers who are being totally unreasonable than to go ahead for a lockout.

The minister doesn't hesitate to close the schools down for 12 days a year. These lockout situations, if they were ever to occur, would be very rare.

The school trustees feel handicapped, not because they intend to go ahead and lock out whenever they see a teacher, whenever they see the whites of his eyes. Again it is a situation as with the school teachers, they don't intend to strike every time they see the whites of a school trustee's eyes. But if they have the right then they can negotiate collectively and in good faith, and that is the same thing with the school trustees.

I don't know whether that is the answer, Mr. Speaker, but I do suggest that it is something that can and should be seriously looked at. If the school trustees state in a committee, when they are talking with teachers, that they can live with the right to sanctions–that is the right to strike–if they have the right to lock out, then that is an important recommendation. But there has been no indication that that recommendation has been seriously considered by the minister.

Since we believe, and since the experience in other jurisdictions indicates that the right to strike or lock out is seldom if ever used, we don't believe that a serious danger is really being incurred in considering those rights and giving those rights. And we don't believe that the minister should simply, as he does, automatically reject what we have just been discussing, about looking to the possibilities of lock out, as a shibboleth, as he stands on his pedestal and says "No child will be locked out of school while I am Minister of Education." There are two million children who are out of the schools today, Mr. Speaker, and not getting an education because of this Minister of Education and he had better get off that pedestal and look at the real world.

Prof. Harry Arthurs of Osgoode Hall Law School, in a Star forum down at St. Lewrence Centre: "The right to strike is justified if only because public workers would otherwise defy the law to protest their grievances."

Norman Cafik, the Liberal candidate, suggested that federal employees have the right to decide at a contract whether to go for arbitration or for the right to strike–and suggested a cooling-off period after a strike vote–well, fair enough.

A. W. R. Carrothers, the president of the University of Calgary–and we are getting into some people who, on the face of it, are getting to be a bit right-wing. "The quick solution of compulsory arbitration is about as gentle as giving castor oil to a patient with loose bowels." And that is what the minister has done in this particular case. Dr. Carrothers is looking at other solutions that can be used, because of the fact that he simply rejects compulsory arbitration and from his experience feels that it is an inadequate means of working. He speaks of the need to accept responsibility and he warns that if state control comes in–now I use that word as Dr. Carrother's word–then collective bargaining and the right to strike will be obsolete and, in that event, so will private enterprise.

Here is a private enterpriser suggesting that private enterprise is threatened when government takes away the freedom of action of workers. That is very interesting and it means that we here on this side of the House are talking about those areas of freedoms that ought to exist in a mixed economy and in a democratic kind of society; we're talking about them while the Conservative Party, which used to stand up for those rights, is arrogantly trampling those rights under foot.

Mr. Speaker, the Ontario royal commission on compulsory arbitration in hospitals appointed by this government, stated in 1964 and I quote:

> Collective bargaining is one of the essential freedoms of a free democratic society.

> A collective agreement executed after the give and take of the bargaining table is an agreement founded upon voluntarism made by the parties who are in the position to formulate its terms and entered into by those charged with the responsibiilty of maintaining industrial peace. Such a voluntary collective agreement will carry much more weight and will have a far greater prospect of securing peace than a contract imposed upon the parties by legislation, by the courts, or by a third party.
>
> Both management and labour, are in general agreement that compulsorily imposing a decision upon the parties as to wages and working conditions is inconsistent with the principles of a free, democratic society.

The commission stated, from their own experience as arbitrators, that the parties themselves, and I quote again:

> . . . are in a much better position to arrive at a proper and reasonable decision in contract disputes than a board of arbitration, no matter how much evidence the board hears, or how carefully it considers the problem with which it is confronted.

And yet the minister, on the one point which he's granted to the OTF, says that the terms and conditions of work may go before the arbitrator. But that's a very complex kind of thing.

How on earth can an arbitrator get to the bottom of it with all of the knowledge that he would need to have? Are we going to have the next six months spent by arbitrators and 15 boards trying to find out what the teachers and the school boards negotiators know intuitively and instinctively? Is that what's going to happen?

Are we going to take that much further effort away from what should be going on in the classroom? I don't know, but that's the kind of situation we may be getting ourselves into, Mr. Speaker.

Now, the same government royal commission talked about the easy availability of compulsory arbitration acting as a deterrent in negotiations, with both sides being reluctant to give ground before reaching the final tribunal because of the saw-off so common in compulsory arbitration decisions.

The union may decide that it can get more from arbitration and won't negotiate. The employer may do the same thing. When the employer makes an offer, the union may treat that as a floor to go to arbitration with. If the union makes a concession, the same thing may happen.

I have a concrete instance of this in one of the Carleton boards, Mr. Speaker. As a result of some conciliation efforts, the teachers agreed that they would be willing to look at the board offer of 7½ per cent—or something like that—for the four months of 1973, if the board would look at what the teachers were asking for 1974, which was around eight per cent—that is, the cost of living. But they pulled back; and they had to pull back on that particular concession, Mr. Speaker, the moment it became evident that they might be going to compulsory arbitration. Because they couldn't afford to give that ground gratuitously, they had to keep every inch of fighting ground they had for the arbitrators.

So the gulf remains wide. The union keeps an adamant stand, the employer keeps an equally adamant stand, and the free collective bargaining process is undermined.

When that commission came to its recommendations, Mr. Speaker, they called for compulsory arbitration, and this was eventually enacted by the government. But they called for it to be used only in very extreme instances. First, they said it must be approved in every case by the cabinet, by the Lieutenant Governor in Council. And, secondly, that it should only be triggered where patient care was adversely affected or seriously threatened, or if either party was convicted of bad faith bargaining under the Labour Relations Act.

And in the other instances, Mr. Speaker, they stated that:

> We are asserting our faith in the principle of voluntary collective bargaining and our opposition to compulsory arbitration in public interest disputes at hospitals.

That's pretty amazing from that commission, Mr. Speaker. They are government employees. And in the hospital situation, which clearly has far more attributes of an essential industry in terms of the day-to-day operations, life and death effects, than education, they are basically opposed to compulsory arbitration, except in certain very narrowly-defined instances.

Well then, here's another authority in a study for the task force on labour relations. Shirley Goldenberg, who, I believe, is the daughter of Sen. Carl Goldenberg, a good Liberal and a fine man, states that a public policy which purports to grant full collective bargaining rights to workers but removes the right to strike is inconsistent. "Some observers," says Shirley Goldenberg, "thus insist that

it is incumbent on the public authority to provide a satisfactory alternative for dispute settlement." She goes on, though, "No guidelines presently exist to ensure that compulsory arbitration will do justice to professionals or others defined as essential workers when the strike weapon is removed."

The point she is making, in other words, is if one has to go to arbitration, if that is the route, and if one is going to treat them as essential—and the minister doesn't think they are essential—they should be paid as being essential. The teachers of this province are not being paid as essential workeers.

If we want a valid standard of pay for teachers, Mr. Speaker—a valid standard for elementary teachers if they are to be considered as essential—I would suggest the pay for a first-class fireman or for a first-class police constable would be suitable. In other words, after five or six years in teaching, every teacher should have a floor on his or her pay of around $11,000 or $12,000 or $13,000 a year, depending on the municipality they happen to be in. They don't have that right now; in fact, they have a ceiling on their pay in many cases, of under $9,000 per year.

David Rotenberg, a good Tory—

Mr. E. W. Martel (Sudbury East): I didn't think there was any such animal.

Mr. Cassidy: All right; he suggests that with goodwill on both sides solutions can be found, formulas can be worked out and a method of settling disputes in essential industries can be reached in order to justify withdrawal of the right to strike and yet ensure fair pay for those essential workers who are deprived of the right to strike. I don't know which side of this to argue on. The minister must surely be saying, since they can't strike, that the teachers must be essential. In that case, David Rotenberg advises the minister that the wages of essential workers—that is, of teachers in this case—be linked in some way to the average incomes of comparable employees.

In fact, I don't know where one draws the standard. I do know that in my view elementary teachers are underpaid and they have been falling back in relation to per capita incomes and to average incomes over the last three or four years at a time of very heavy inflation.

The Toronto Star—this is in September, 1972—endorsed what Mr. Rotenberg had to say and said that if we are going to define some occupations as essential we have to work out processes and formulae to ensure fair salaries and benefits to essential workers. That has not been done.

Prof. John Crispo, who is the dean of management studies at the U of T—that's getting pretty right wing, too, Mr. Speaker—a political economy professor, said that compulsory arbitration strengthens the position of irresponsible union leaders. Is that what the minister wishes to do? They don't have to make the saw-off, to make the hard decisions. They can promise anything. They can present their stupid demands to the arbitrator and then blame the arbitrator, Prof. Crispo said.

The task force on labour relations—Harry Arthurs, the dean of Osgoode Hall Law School—the bastion of Conservatism, the training ground for half the ministers in the cabinet, Mr. Speaker—states, in relation to essential industry disputes;

> So long as collective bargaining remains central to our general labour policy, it seems clear that voluntarism should likewise remain a primary value in essential industry disputes. A clear and compelling case would have to be made out for any proposal that would detract from or displace the effectiveness of negotiation. From this basic premise it follows that dispute settlement rather than mere avoidance of strikes must be the objective, and flexibility undoubtedly aids in this task.
>
> In pursuit of flexibility, pluralistic solutions are probably necessary. Although no solution is more flexible than one created ad hoc, a wide range of prefabricated solutions may well yield adequate flexibility provided that they can be invoked quickly enough.

That was the sense of the proposal made by the teacher-trustee committee and the proposal made by the Ontario Teachers' Federation—flexibility, something that duplicated in legislative terms what we had had before, means to call these various devices into play because it worked so successfully in the past, but not removing the element of voluntarism.

Then he mentions the various kind of devices which have been suggested. Compulsory arbitration can exist as one of the choices. Mediation, special ad hoc legislation, even statutory strikes have been suggested, but the minister is so obsessed with strikes in education that he simply hasn't seen that a programme to limit the number of strikes would be better carried out through an effort

to improve the dispute settlement procedures within the industry.

Mr. Martel: He's afraid of the mob. They'll get him.

Mr. Cassidy: Mr. Speaker, there was another study here by another fellow who comes from a sort of right-wing background, J. Douglas Muir of the faculty of business administration and commerce at the University of Alberta.

Mr. Eaton: Didn't the member say something about that last night?

Mr. Cassidy: He took his commerce degree at the University of British Columbia and his MBA at the University of California.

Mr. Breithaupt: Well, there's the reason right there to be suspicious.

Interjections by hon. members.

Mr. Cassidy: This was a study of collective bargaining by Canadian public school teachers, and it was a document that I think the minister should very definitely have looked at before he came up with the legislation we have before us today. I have two or three comments.

The first one is that in terms of assessing the impact of the strikes on the students, he states—and this is no Socialist, for God's sake; he's from the University of Alberta. They haven't hired a Socialist in years.

Mr. Breithaupt: Not even a tame one?

Mr. Gaunt: Oh, they have the odd one.

Mr. Cassidy: Prof. Muir says:

> Many educators seriously question whether there are actually long-term effects from the loss of a week's schooling, even in the spring.
>
> It is not so much the strike itself that hurts the education of the students, but rather it is the length of the strike and the time of the year that strike occurs that is important.

He is saying something which is pretty obvious, that if a strike is held in late May right through to June it can hurt students.

He says:

> In order to recognize the individual's right to withdraw his services and at the same time protect the student's right to an education, attention should be focused, not upon whether a strike is good or bad but upon controlling the time of year that strikes may occur, and in so doing it appears that both of these rights can be protected in the school situation. This would mean leaving the parties free to negotiate during the spring but compelling them to focus their primary attention on reaching a settlement by June 30 [which is proposed in the big bill].

Then he suggests there could be a cooling-off period over the summer, followed by mediation at the beginning of the school year. If all of that failed and the frustration was so great, Mr. Speaker, then Prof. Muir suggested that maybe the strike could be allowed to occur in late September or in early October, at a time when clearly it would not have the impact that some people fear on the education of the children.

I don't know whether this particular proposal of Prof. Muir's is acceptable to teachers, but given the views of the minister, of Twyla Hendry and some of the trustees, and given the fact that many teachers themselves have not been that keen in the past on the right to strike, while many of them are now and an increasing number are becoming keen, perhaps a statutory strike or the possibility of a strike situation at the time of the year when it would do the least harm to students makes an awful lot of sense and ought to have been discussed with the teachers and with the trustees as an alternative to removing the civil liberties and the collective bargaining rights of teachers.

> Normally [says Prof. Muir] the public pressure will be enough to ensure that such a strike is of a short duration. However, another constructive suggestion: As a form of insurance, a show-cause public hearing could be held after a strike passes its eighth day.

In other words, after cooling off, after the summer, after mediation, if a strike occurred there would still be a show-cause hearing after eight days in order to see what happened.

Interjections by hon. members.

Mr. Cassidy: I am sorry, Mr. Speaker, I didn't realize we were going only to 12 o'clock. I wonder if I could have the consent of the House to go on for about one more minute and finish my speech?

Interjections by hon. members.

Mr. Cassidy: Just to put this on the record, Mr. Speaker, because of all the authorities I have cited I think Prof. Muir is probably the

most important. He spent a year studying the subject. He said:

> Canadian experience with obligatory awards among teachers and other employed groups has been that they do not eliminate strikes but merely make them illegal. Experience has shown that the arbitrated awards when submitted voluntarily to arbitration generally follow the pattern established by negotiated settlements. However, when all unsettled disputes must go to arbitration then a pattern may not be established through negotiated settlements and in these cases teachers are justly concerned about the precedents that arbitrators may establish.

That's the situation with compulsory arbitration.

Mr. Speaker: Perhaps the hon. member would now move the adjournment of the debate?

Mr. Cassidy: I ask for about one more minute, Mr. Speaker.

Interjections by hon. members.

Mr. Cassidy: There is a certain mood, Mr. Speaker, in the House that would prefer I finish my speech than go on at 3 o'clock. I would prefer that myself.

Mr. Speaker: Is the hon. member going to complete his remarks?

Mr. Cassidy: Yes, Mr. Speaker, that is my intention.

Mr. Speaker: Carry on.

Mr. Cassidy: Mr. Speaker, the balance sheet as drawn up by Dr. Muir is as follows:

> In examining the consequences of the various types of sanctions there is evidence to suggest that the strike is cleaner, more effective and less disruptive than either coincidental or mass resignations or the in-dispute designation which means pink-listing. The latter two may be more disruptive to the school system in the long-run than the strike.
>
> The use of any form of economic sanction carries with it the risk of damaging teacher-trustee relations. However, with the strike the board is assured of still having a staff when the settlement is reached, but with mass resignation or the in-dispute designation, there may be inadequate staffing and a reduction of the quality of the teaching staff for many years. A strike brings the dispute to the surface and clears the air with few long-run effects whereas the in-dispute designation and the mass resignation have the potential for more permanent long-run effects.

He rejected compulsory arbitration, Mr. Speaker.

The figures I mentioned at the conclusion of my speech on Friday I will repeat again at this time, Mr. Speaker. The minister has become totally paranoid about allowing strikes in the school system; about allowing teachers, therefore, free collective bargaining. It is parallel to outlawing marriage to prevent divorce. The loss of pupil-time in Alberta, a Conservative province, where they have had 30 years of free collective bargaining with the right to strike, has equalled an hour and a half out of the total 12 years of any pupil's time on average. I say that any minister who can deal with teachers as this minister has dealt with them, any minister who believes that kind of loss of time through strikes is such a danger, does not deserve to be in the government. He should resign and the bill should be withdrawn.

Mr. Speaker: The hon. member for St. George.

Mrs. Campbell moves the adjournment of the debate.

Motion agreed to.

It being 12:03 o'clock, p.m., the House took recess.

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Legislature of Ontario Debates

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Third Session of the Twenty-Ninth Legislature

Tuesday, December 18, 1973

Afternoon Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 18, 1973

The House resumed at 2 o'clock, p.m.

Mr. Speaker: Statements by the ministry.

DAMAGE TO PELHAM FARMLAND FOLLOWING TRAIN DERAILMENT

Hon. J. A. C. Auld (Minister of the Environment): Mr. Speaker, further to the article that appeared in the Dec. 14 issue of the Globe and Mail, concerning the damage to farmland in the town of Pelham as a result of a train derailment on Dec. 1, 1972, I wish to provide this House with my ministry's understanding and position on this matter.

The cleanup operations following the accident were carried out by Catalytic Enterprises Ltd. This company was retained by the Toronto, Hamilton and Buffalo Railway at the ministry's request. It has been determined in discussions with representatives of this company that sodium compounds were not used to neutralize the acid that was ponded or flowing across agricultural land.

After the immediate emergency situation had been dealt with, agricultural lime was brought in and used on the farmers' fields to neutralize the acid condition. The use of soda ash was restricted to the application of acid waters flowing in the ditches bordering on the farmers' fields in the immediate vicinity of the train wreck and at the ponds which were constructed to collect and permit neutralization of the acid.

This contradicts the facts as published in the Globe and Mail story of Dec. 14. The report that formed the basis for the Globe and Mail article was prepared by staff of the University of Guelph, who were retained by the railway to make recommendations concerning approaches that could be taken to restore areas in the fields affected by acid runoff.

Staff of my ministry have agreed to meet with the solicitors acting for the affected parties on Jan. 16, 1974. At that time, an attempt will be made to determine accurately the extent of damage incurred and the position of the farmers on the matter of compensation.

The affected parties, the farmers, will have to rely on the legal advice of their solicitors insofar as the direct negotiations with Toronto, Hamilton and Buffalo Railway are concerned. However, as the government, through my ministry, did play a lead role in directing the initial cleanup operations and did provide assurances to the farmers at that time that their land would be restored, we will offer whatever technical assistance we can in an attempt to resolve the issues between the parties to everyone's satisfaction.

CHANGES IN INCOME SECURITY PROGRAMMES

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, I wish to inform the hon. members that effective Jan. 1, 1974, the rates of assistance will be raised to persons receiving income maintenance through either family benefits or general welfare assistance.

These new provincial adjustments in income maintenance follow increases in assistance that we made earlier in the year. In January, we increased family benefits allowances; in April, general welfare assistance was increased; and in September an interim adjustment of five per cent was made to both these programmes in order to bring assistance more in line with the cost of living.

The new rates and revisions in schedules are primarily designed to serve a twofold purpose. Firstly, these improvements are designed to bring about a more equitable relationship among persons and groups receiving income maintenance. Secondly, and equally important, we are endeavouring to give assistance that will enable persons who are capable of employment to support themselves.

Hon. members will recall that these two principles were clearly outlined in Ontario's submission to the first meeting of federal and provincial welfare ministers in Ottawa last April.

In addition, the changes entail updating the needs tests for homemakers and nurses services, thus benefiting the elderly, the handicapped and single parents. We are also updating the Day Nurseries Act, which will

have the impact of increasing both subsidies and the eligibility of families for daycare expenses.

The improvements entail five basic steps that we are taking in an endeavour to reach a degree of equality between persons and groups receiving income maintenance.

First, we have restructured the ordinary needs schedule.

As members will be aware, the ordinary needs schedule is a table of rates for basic requirements, excluding shelter. A new ordinary needs schedule has been formulated which has two parts: The first part is a base amount for the adult in the family, and the second is a variable allowance for each dependent child. With the new schedule, the allowances will vary according to the age of the child, the allowance being higher for an older child.

Second, we are improving supplementary assistance for family benefits recipients, including such items as prescribed drugs, shelter and fuel. Many persons receiving family benefits are handicapped, thus changes will be made to the general welfare assistance regulations to ensure that prescribed medications are available in every instance of need.

Changes to the regulations will now make it mandatory for the municipality to provide drugs prescribed by a physician for all beneficiaries of family benefits.

In addition, Mr. Speaker, the former limit of $20 placed on supplementary aid will be removed and the municipality may grant any amount of supplementary aid. This will mean that all items, including drugs, that were formerly granted as special assistance at a 50 per cent subsidy to the municipality can now be granted to family benefits recipients as supplementary aid, so that the municipality will be subsidized at the rate of 80 per cent.

While prescribed drugs will be mandatory, the municipality will continue to have discretion of granting other special items, including additional shelter allowance at the more advantageous 80 per cent subsidy rate for all recipients of governmental benefits, including pensioners. This change will become effective April 1, 1974.

The third and fourth steps entail increasing maximum shelter rates and board and lodging rates. Shelter rates will be increased as of Jan. 1, 1974, and shortly thereafter increases will be made in both board and lodging rates.

Finally, the fifth step entails increasing foster children rates, which will become effective Jan. 1, 1974. The increases in rates for foster children under family benefits and general welfare assistance will provide for a fairer relationship between rates paid by provincial and municipal social assistance and local children's aid societies.

In addition to these five improvements, we are endeavouring to enable persons who are capable of employment to support themselves.

We hope to accomplish this, in part, by increasing earnings exemptions for disabled persons under the family benefits programme; by making changes to homemakers and nurses' services needs test; by updating the day nursery needs test; and finally, by increasing vocational rehabilitation services training allowances.

Mr. M. Cassidy (Ottawa Centre): Why has it taken so long?

Hon. Mr. Brunelle: Mr. Speaker, the latter four changes will become effective Jan. 1, 1974, with the exception of regulations regarding increased earnings exemptions for disabled persons. Changes to these regulations will become effective April 1, 1974.

Mr. Cassidy: Do it now.

Mr. J. E. Stokes (Thunder Bay): Why wait until spring?

Hon. Mr. Brunelle: I am tabling these wide-ranging changes and revisions in the form of a background paper which will provide the hon. members with specific details on each programme. Also, for the information of all members, I am tabling a paper outlining the increased rates and adjustments in family benefits and general welfare assistance programmes.

I should mention, Mr. Speaker, that federal family allowances will not, and I repeat, will not affect any of these increases. Family allowances will continue to be exempt under Ontario legislation and will not be counted as a source of income—

Mr. J. R. Breithaupt (Kitchener): The government will do anything to change the headlines.

Hon. Mr. Brunelle: —as a source of income for persons in receipt of income maintenance. We regard the allowances as an additional source of help.

These initiatives, Mr. Speaker, and these improvements in Ontario's income security programmes represent an additional cost of $31 million over that which normally would have been required in the 1974-1975 fiscal year by the Ministry of Community and Social Services.

Mr. Cassidy: It's amazing what they can do with so little.

Mr. S. Lewis (Scarborough West): Is that all they are spending?

Hon. Mr. Brunelle: This is just the beginning, Mr. Speaker.

Coupled with the recent federal improvements in old age security benefits, family allowances and some modifications to the Canada Pension Plan, these provincial adjustments are moving us toward an income security system which will more adequtaely meet the needs of the people it is designed to serve.

Mr. E. W. Martel (Sudbury East): Did the minister put an escalator clause in it?

Hon. Mr. Brunelle: That is under consideration.

Mr. Martel: Does he just preach that to the federal government?

Hon. Mr. Brunelle: While the federal and provincial governments continue to work jointly toward an integrated income security system, the Ontario government believes it is important to move immediately to ensure that current and pressing social service needs are dealt with as quickly and effectively as possible.

CONSTRUCTION OF POWER LINE TO MOOSONEE AND MOOSE FACTORY

Hon. W. G. Davis (Premier): Mr. Speaker, I have a very brief statement to make, to inform the hon. members of the House that there will be a $4-million project undertaken to provide electrical power for the Moosonee and Moose Factory areas.

At the present time, these two communities receive their electric power from diesel electric generators. These engines, of course, consume large quantities of diesel fuel resulting in expensive electrical power for these two communities. This cost factor, together with the need to add to the existing diesel generating capacity, has led to the decision to construct a powerline from Otter Rapids to Moosonee, a distance of some 90 miles.

This project will be undertaken by the Ontario Northland Transportation Commission and funded by the provincial government, similar to such projects as norOntair and the Tobermory ferry, which have been put under Ontario Northland's direction. The ONTC will be assisted in this project, of course, by Ontario Hydro.

The initial stages of this project will commence in the new year and will employ many native people from the Moosonee region. It is expected that by the fall of 1975, the two communities will be supplied by reliable electrical power by means of this new transmission line.

Mr. Speaker: Statements by the ministry.

Oral questions.

The hon. Leader of the Opposition.

Mr. R. F. Nixon (Leader of the Opposition): Thank you, Mr. Speaker.

Interjections by hon. members.

Mr. R. F. Nixon: It is getting near Christmas. I can't restrain them.

Mr. Breithaupt: He can't hold us back.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. R. F. Nixon: A question of the Premier: Is he now prepared to describe to the House his conversations with representatives of the teachers' professional organizations and others having to do with certain mitigation in the provisions of Bill 274, which is still before the House? Can he assure the House that he is holding conversations of a private nature or otherwise with these people, and that there is some possibility of a somewhat mitigating change in government policy in this regard?

Hon. Mr. Davis: Mr. Speaker, in answer to the question. As to the first part of it, it is accurate that there have been discussions with the Ontario Teachers' Federation and discussions with the heads of the affiliates of the Ontario Teachers' Federation. It is also true to state, Mr. Speaker, that I have been present for some of those discussions.

I can't tell the hon. leader whether, in fact, there will be further discussions, but I would say that there is a possibility. I would also not want to mislead the House or the members of the profession or the public that these discussions alter the basic intent of the bill that is presently under debate, that intent being to have the classrooms of this province open for instruction on the 3rd of January.

Mr. Lewis: Tell us about the compulsory arbitration.

An hon. member: That's not fair.

Mr. R. F. Nixon: Supplementary: I realize the Premier said he could say nothing more, but since we may get to the bill in committee stage later today—this is possible—would it not be in the best interests of the teachers and the people in the province if we knew the alternatives that had been offered so that we could consider them as far as amendments to the bill are concerned?

Interjections by hon. members.

Mr. R. F. Nixon: Surely it is time that the House was taken into the confidence of the Premier and the Minister of Education (Mr. Wells) in the procedures that are evidently going on behind the scenes.

Hon. Mr. Davis: Mr. Speaker, I question whether it would serve any useful purpose at this stage; but I just want to reiterate, so there is no misunderstanding, that I think it would be unfair and would not really be completely frank if I were to indicate that the discussions that have gone on would in themselves lead to any alteration. I would not like to raise this—

Mr. Lewis: Well, that is not true. The Premier is preparing ground which he knows is not true—carefully setting it.

Hon. Mr. Davis: Well, the leader of the NDP is factually incorrect and he is wrong.

Mr. Lewis: I know that I am factually correct.

Hon. Mr. Davis: He is wrong. He is wrong.

Mr. Lewis: No, I am not wrong.

Hon. Mr. Davis: He is wrong.

Mr. Speaker: Order. The hon. Leader of the Opposition.

Mr. R. F. Nixon: Can we be assured that when the bill comes forward for committee—

Mr. Lewis: Well, the Premier can't say it and I can't say it, but he is preparing the ground.

Hon. Mr. Davis: That is incorrect.

Mr. Lewis: The Premier is retreating.

Mr. D. C. MacDonald (York South): It was a verbal retreat before; that was obvious for any perceptive listener.

Mr. Speaker: The hon. Leader of the Opposition has the floor.

Mr. R. F. Nixon: Can we be assured that when the bill comes forward for the committee stage that we will have notice of any proposed amendments so that we can consider them before they are put before us?

Hon. Mr. Davis: Mr. Speaker, there is no question about that. Any amendments will be made available to the members opposite and to all members. I want to reiterate that I don't want the fact that there have been discussions in the past period of time with the federation—I believe the president of the federation stated in very simple terms to the members of the profession not too long ago—a factual statement—that there had been discussions. He did not, as I understand it, indicate there would necessarily be any solution but the position of the federation remained consistent and the position of the government has remained consistent.

Mr. Lewis: No, it has not.

Hon. Mr. Davis: Mr. Speaker, I wish—

Mr. Cassidy: The Minister of Education has already backed down in one respect.

Hon. Mr. Davis: I wish I had the divine insight which the member for Scarborough West has as he calls upon whatever deities there may be to look into the future and determine what people are thinking.

Mr. Lewis: The Premier does. He has been sitting in on the discussion. He doesn't need to be deified; he may be very human.

Mr. R. F. Nixon: Let's not waste too much time.

Hon. Mr. Davis: I am telling him, and I say it very emphatically, he should be very careful about any information he may have.

Mr. Lewis: I am.

Hon. Mr. Davis: Because the president of the OTF, I think, made it clear—I wasn't there—and I make it clear that the federation's position has not changed, nor has the position of the government. Conversations—yes. Any attempt to read anything more into that would be totally dishonest. I would recommend to the member and the leader of the New Democratic Party to be very careful if they want to treat this issue in a responsible fashion, which I doubt.

Mr. Lewis: We treat it very carefully.

Mr. Cassidy: The Premier is trying to get the OTF to bail him out. That is what is happening.

Mr. P. D. Lawlor (Lakeshore): The irresponsibility is right there.

Mr. Speaker: Order.

Mr. R. F. Nixon: With your permission, Mr. Speaker, I want to ask the Premier if he will give some further consideration to the possibility of putting this bill before a standing committee rather than the committee of the whole House. We have talked about this before. He has never refused; he has simply got around giving a direct answer.

Mr. E. Sargent (Grey-Bruce): Why not?

Mr. R. F. Nixon: Can we put it before standing committee if, in fact, it receives second reading approval later today?

Hon. Mr. Davis: Mr. Speaker, I can give no commitment on this at this time. The bill has not as yet received second reading. Hopefully, it will sometime during the course of the next day or so.

Mr. I. Deans (Wentworth): Hopefully it will not ever.

Hon. Mr. Davis: If the member for Wentworth doesn't think it will receive second reading today, that is partially in his hands.

Mr. Deans: I hope it will never receive second reading.

Hon. Mr. Davis: I cannot give any commitment with respect to that at this moment.

Mr. A. J. Roy (Ottawa East): Why not? Why can't the Premier give a commitment to that?

Mr. Speaker: The hon. Leader of the Opposition.

CHANGES IN INCOME SECURITY PROGRAMMES

Mr. R. F. Nixon: A question of the Minister of Community and Social Services. Can the figure of $31 million in his statement made a few moments ago—which was well received in the House, I should say—be reduced to a percentage improvement in the payments being made to those people in receipt of welfare across the province? It sounds to me as if it is somewhat in excess of the five per cent indicated in the press reports before the minister made his statement. Is it going to amount to payments better than a five per cent increase?

Hon. Mr. Brunelle: Mr. Speaker, the percentages vary according to the cases. For instance, take a single disabled person who, on Jan. 1, 1973, was getting a maximum of $150; as of Jan. 1, 1974, he will be getting $170. That is a 30 per cent increase. A childless couple, not receiving the old age pension, who were getting $250 on Jan. 1, 1973, on Jan. 1, 1974, will be getting $275, that is a 25 per cent increase. A deserted mother with three children ages seven, nine and 11, who was getting $317 on Jan. 1, 1973, will be getting on Jan. 1, 1974, $384. That is a 36 per cent increase.

I should add, Mr. Speaker, this includes the increases in the family allowances. A permanently unemployable person, married, with three children ages eight, 12 and 15, who was getting $374 on Jan. 1, 1973, will be getting on Jan. 1, 1974, $440, a 32 per cent increase.

Mr. R. F. Ruston (Essex-Kent): Family allowances are included?

Hon. Mr. Brunelle: Family allowances are included. The increases, Mr. Speaker, vary according to individual cases, depending on whether they have children and so forth.

Mr. R. F. Nixon: A supplementary: Could the minister indicate what the percentage increase in Ontario's budgetary requirements to meet these changes will be? Approximately.

Mr. T. P. Reid (Rainy River): Excluding the federal contribution. How much more money?

Hon. Mr. Brunelle: As I indicated in my statement, Mr. Speaker, we're speaking of an additional $31 million.

Mr. Reid: What is the federal contribution?

Hon. Mr. Brunelle: Part of that $31 million, as the hon. member knows, is shared under the Canada Assistance Plan, where a needs test is applied.

Mr. R. F. Nixon: How much would we be spending—$15 million to $20 million extra?

Hon. Mr. Brunelle: At a rough guess, Mr. Speaker, I would say probably somewhere between $20 million and $25 million of provincial funds.

Mr. Cassidy: That is a quarter of one per cent of the budget.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: How much of the additional $31 million is encompassed in the increase in the family allowance payments from the federal government on Jan. 1, 1974? How

much of the money is encompassed by the jump to $20 per child?

Hon. Mr. Brunelle: I would be pleased to get these figures, Mr. Speaker. Offhand I couldn't tell the member.

Mr. Lewis: If I understand the minister, I take it that all of that increase to $20 a child is already included in the recalculation of the various allowances which he has given today in the House, which suggests that the percentage of provincial money is negligible, if at all.

Hon. Mr. Brunelle: Mr. Speaker, as I've indicated, we have not reduced the increase in the family allowances on Jan. 1. These have not been calculated as income. In other words, we are passing on to the mothers this entire amount. In addition, we have increased our family allowances in the ordinary needs. For instance, it used to be $78; now it is $91. We have also increased the shelter allowance. We've removed the ceiling on the prescribed drugs and on the shelter allowance.

In addition to the $31 million, Mr. Speaker, I would say millions more dollars will be given to the welfare recipients. At this stage, we have no idea what the amount will be.

Mr. V. M. Singer (Downsview): Mr. Speaker, by way of supplementary, of the $31 million, how much is going to be paid by the municipalities out of their funds?

Hon. Mr. Brunelle: This is $31 million of provincial expenditure.

Mr. Singer: It isn't. The minister said the federal government was paying a portion of it.

Hon. Mr. Brunelle: Well, yes.

Mr. Singer: Well, then it isn't $31 million of provincial money.

Hon. Mr. Brunelle: We are paying $31 million. Out of that $31 million there is to be a certain percentage under the Canada assistance plan that will be reimbursed to the provinces.

Interjections by hon. members.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Martel: Would the minister clarify as to whether the designation special assistance is being removed, and all is reverting to supplementary assistance? And if not, is the province prepared to pick up any of the special assistance which it has now opted out of?

Hon. Mr. Brunelle: Mr. Speaker, the hon. member will be getting a copy of my statement and with it the additional information. What I said in my statement is that we are removing the ceilings of $20 on supplementary assistance. If I may use an example, supposing a recipient was paying $100 a month for drugs, under the previous system only $20 was shared under the federal-provincial arrangement. Now the entire $100 will be shared. In other words, we will be paying 80 per cent and the municipality will be paying the 20 per cent.

Mr. Martel: But what happens to special assistance? Is the ministry going to fund special assistance? At the present time, the federal government pays 50 per cent and the municipality pays 50 per cent for special assistance. The province doesn't fund a cent of it for such things as glasses and so on. Is it the province's intention to get involved in funding special assistance, along with the other types of provisions for funding the 50, 30 and 20?

Hon. Mr. Brunelle: By removing the ceiling for those who will receive supplementary aid, we will be paying 80 per cent. Before that, part of it was only under special assistance, which is 50 per cent, so we removed the ceiling. Also, and I think I can read the hon. member's mind, Mr. Speaker, as far as special assistance goes, it is still shared under the existing formula.

Mr. Martel: The ministry is still at square one then.

Mr. Speaker: The hon. member for St. George had a supplementary.

Mrs. M. Campbell (St. George): Thank you, Mr. Speaker. Would the minister tell us whether, having increased or permitted the increases in shelter allowances, an arrangement of any sort has been made with Ontario Housing to hold a ceiling on a rental increase by reason of such an increase?

Hon. Mr. Brunelle: Mr. Speaker, as the hon. member knows increases have been given to federal old age pensions, as a result of which we have not increased our rents in the past year.

Mrs. Campbell: Mr. Speaker, I would like to ask then: The minister well knows the old age assistance does not affect the shelter allowance factor in Ontario Housing, and has

not done so; I am asking, now that a specific increase has been announced by the minister, has there been any arrangement with Ontario Housing to ensure that Ontario Housing will not pick up the difference—to ensure that those people have it, who need it so badly?

Mr. J. E. Bullbrook (Sarnia): A good question.

Hon. Mr. Brunelle: Well, Mr. Speaker, we pay the maximum, under our regulation, for rents to Ontario Housing.

Mrs. Campbell: And that's paid to Ontario Housing.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Final supplementary, Mr. Speaker: Can the minister explain why the increase in earnings allowances for disabled people is not being brought in until April 1?

Interjections by hon. members.

Mr. Cassidy: Would he reconsider that and bring it into force on Jan. 1 along with the other amendments that he has just announced?

Hon. Mr. Brunelle: There is a fair amount of conversation, Mr. Speaker, I'm not sure that I understand the hon. member's question.

Mr. Cassidy: Why did the minister delay increasing earnings allowances for the handicapped and disabled until April 1; and will he reconsider it and bring it into force at the same time as the other changes, on Jan. 1?

Hon. Mr. Brunelle: My understanding of this question is that most of the changes will be effective on Jan. 1 and some will only be effective on April 1. The reason for that, again, is the question of money. With the amount of money allowed, on a priority basis we thought we'd give a higher priority to those areas that we think should be effective Jan. 1.

Mr. Speaker: The hon. member for Wellington South.

Mr. H. Worton (Wellington South): What I would like to know, Mr. Speaker, is if the minister in his statement made any increase in the allowance for widows, that is as far as assets are concerned? It is presently $1,000. Has he increased it to $1,500 or $2,000?

Hon. Mr. Brunelle: On the exemptions for widows, Mr. Speaker, there are no changes. They are still as they were. I believe it is $1,000 liquid assets.

Mr. Cassidy: Oh, come on.

Mr. Martel: The minister has them trapped.

Mr. Speaker: Order. There have been numerous supplementaries. With any further it can't help but develop into a debate. There have been enough supplementaries.

Mr. Cassidy: The minister is spoiling the whole thing.

Mr. Speaker: The hon. Leader of the Opposition.

Hon. Mr. Brunelle: More is to come. This is just the beginning.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: May I ask of the Minister of Community and Social Services if he can give us one example of any increase in the whole field of disabled persons' allowance?

Hon. Mr. Brunelle: Yes.

Mr. Lewis: Can he give us a specific example?

Hon. Mr. Brunelle: Yes, Mr. Speaker, I just mentioned the disabled persons. The maximum that a disabled person had as of Jan. 1, 1973, was $150; and as of Jan. 1, 1974, two weeks from now, it will be a maximum of $170, plus additional benefits as far as drugs and so forth are concerned. There'll be no limits in the amounts of drugs they'll be able to have, and there is shelter allowance, and so forth.

Mr. Martel: They get $209 in BC.

Mr. Lewis: So a single person who is so disabled as to be unemployable, will receive from the Province of Ontario a total, under this new schedule, of $170 a month, plus certain health benefits?

Hon. Mr. Brunelle: Yes, that's right.

Mr. Lewis: Okay.

Mr. Speaker: The member for Scarborough West.

PHILLIPS STRIKE AT BROCKVILLE, DOW CHEMICAL STRIKE

Mr. Lewis: A question, Mr. Speaker, if I may, of the Minister of Labour: Can he report to the House on the situation at Phillips

Cables in Brockville and Dow Chemical in Sarnia?

Hon. F. Guindon (Minister of Labour): Well, Mr. Speaker, for the second part of the question, I understand there is a memorandum for ratification insofar as Dow Chemical is concerned. This is supposed to be submitted to the membership tomorrow.

Insofar as Brockville is concerned, I have had no late report. I'll be inquiring about it.

Mr. Lewis: Fine. Thank you.

Mr. Speaker: The member for Scarborough West.

LEAD CONTAMINATION IN HAMILTON

Mr. Lewis: A question of the Minister of the Environment: Can I ask whether he has heard of the report by the Environmental Studies Institute at the University of Toronto, dated I guess almost two years ago now, showing that lead levels in soil and vegetation in Hamilton, sampled at eight locations, were two to three times the levels in similar locations in Toronto, and in certain specific school areas, as a matter of fact, the lead levels were many parts per million more than many of the highest lead levels recorded near Canada Metal?

Hon. Mr. Auld: Mr. Speaker, I'm not aware of that report. I think it was perhaps before my time in that ministry, but I'll look into it and see what I can find out.

Mr. Lewis: Well, I gather that report just came to light and was used on the CBC within the last day or two. I take it that the minister has not yet seen it, that his ministry has not yet monitored it. Is the minister or his ministry aware of lead level sampling in the Hamilton area?

Hon. Mr. Auld: Mr. Speaker, first of all, the ministry may be aware of it, but I am not, although I think I would have if we had been.

We have done sampling, and in those areas near the 23 plants in the province—most of them are around the Metro area—where we feel there might be problems, we have asked the medical officers of health to check as far as the people in the area are concerned.

We have done some soil samples in the neighbourhood of these plants, 11 in particular, and we've passed that information along.

I'm not aware of any particular series of problems in Hamilton but, as I say, I'll find out about this report and let the hon. member know.

Mr. Lewis: Thank you.

Mr. Speaker: The hon. member for Windsor-Walkerville.

LEAD IN PAINT

Mr. B. Newman (Windsor-Walkerville): May I ask the minister, in light of the findings in the various US cities that the use of lead paint has had an extremely harmful health effect on children, if he is considering asking one of his colleagues to outlaw the use of lead paint in homes and, in that way, to protect the children from any harm that can result from it being used?

Hon. Mr. Auld: Mr. Speaker, I believe the government of Canada outlawed the use of lead in paint some three, four or five years ago. Of course, there are still layers of paint with lead in them on many buildings, particularly older buildings in the country.

ALLEGED AIR POLLUTION FROM METAL COMPANIES

Mr. Lewis: A question of the Minister of Health: Has he yet informed himself on the specifics of the admission to hospital of children with high lead content from the Canada Metal plant area?

Hon. R. T. Potter (Minister of Health): Mr. Speaker, I'm advised that in one of the 10 cases of elevated levels of lead in the blood—I think six were children and four were adults—one of the adults they were so concerned about had a blood level reported at 200 and, on repeating the test, they found it was only around 40-odd; it was an error at the laboratory.

On another adult with an elevated level of lead, the test has been repeated and they haven't got the report back for me.

Of the six children, four were admitted to the Hospital for Sick Children. I'm advised that they were admitted because of anaemia. They were investigating to find if there were any other adverse effects. They hadn't found any at the time they reported to me, but they did tell me that in the United States there's a considerable amount of research going on regarding lead and anaemia and that they were keeping in close touch with their col-

leagues in the United States but they didn't have any further information at that time.

Mr. Lewis: By way of a supplementary: Is the minister quite satisfied that there is no identifiable health hazard at Canada Metal, so far as he can discern, which would require any action on the part of the government?

Hon. Mr. Potter: Mr. Speaker, there is a medical advisory committee which consists of two members of the staff of the Hospital for Sick Children, two from my ministry, a consultant from the school of hygiene of the University of Toronto, the medical officer of health and the deputy medical officer of health of the city of Toronto. They're monitoring this very carefully.

The advice that I've had from them is that they haven't found any strictly health problems in the cases that they've found, and of course we are very concerned to make sure that there aren't any health complications. So far we haven't found them.

Mr. Speaker: The hon. member for Scarborough West.

PRESENCE OF DEMONSTRATORS

Mr. Lewis: A question of the Premier. Since I gather the Minister of Education is on his way out to the throng, would the Premier like to adjourn the House so that the members of the Conservative Party can meet their constituents? There are 25,000 or 30,000 out there. They probably would like to see them.

Mr. Speaker: Order, please. I should point out to the people in the galleries they are here as visitors, as our guests. There are certain rules that they must observe if they are to remain as our visitors and guests. We are pleased to have them there, but they must not applaud or take part in any demonstrations or otherwise interfere with the proceedings.

I ask this of them most respectfully and I am sure they will abide by the rules pertaining to visitors in the galleries.

Hon. Mr. Davis: Mr. Speaker, in reply to that very important question from the leader of the New Democratic Party, I would only say that a number of the Conservative caucus have already met with their constituents—in fact, a number of us have, in cabinet as well as in the membership of the very strong back-bench of the Conservative Party.

I would only say that if the leader of the New Democratic Party is contemplating a motion for adjournment in his traditionally responsible approach to the difficult issues, I would have to inform him, Mr. Speaker, that this side will vote against it.

Mr. Speaker: Does the hon. member for Scarborough West have further questions?

If not, the hon. member for Grey-Bruce.

IBM POLITICAL PARTY CONTRIBUTIONS

Mr. Sargent: Mr. Speaker, a question of the Premier. In view of the revelations in this morning's Globe and Mail that the Premier personally instigated the exclusive computerization rights in all facets of government to IBM; and that the ongoing payments have been about $1 million per year over the last six to 10 years, can the Premier guarantee that IBM has made no contributions to the Conservative election fund?

An hon. member: That's a good question.

Hon. Mr. Davis: Mr. Speaker, I can't guarantee the latter part of the question. I could only observe that if I had any specific knowledge—that if, in fact, they made any contribution—it would not surprise me if they made a contribution to the official opposition in the Province of Ontario. But I have to say very frankly to the member for Grey-Bruce, I personally do not know.

I must also observe, Mr. Speaker, as I have read these stories—

Mr. R. F. Nixon: I doubt if the Premier is right; but if he is, I'll trade the amounts.

Hon. Mr. Davis: I don't know. I would only say that I am really very flattered by the question. If the hon. member for Grey-Bruce thinks that I, single-handedly, was able to bring this situation about, I would have to say to the member for Grey-Bruce that if one looked very carefully at the functions of the federal government, with whom he is much more closely associated than I am, at a number of provincial governments, and at the bulk of the private sector—

Mr. Sargent: Mr. Kelly?

Hon. Mr. Davis: —he may, if he does his research carefully—which I know he won't; well, maybe he will—but he may find that the percentage use of that particular manufacturer's product is probably no higher in the government of the Province of Ontario than

with other governments both here and south of the border, and in the private sector itself. I think his research might reveal that information.

Mr. Sargent: Supplementary, Mr. Speaker: In view of the fact that the newspapers said that after the Premier made a speech recommending IBM, that they got the contract without any tender; in view of the fact that this is Christmas, I will say that the Premier taxed my belief in him wholly on this; but why is it then, Mr. Speaker, that of the seven major firms engaged in computerization, IBM has the inside track?

Hon. Mr. Davis: Mr. Speaker, far be it from me to spring to the defence of IBM; I shan't. I will only recall to the member for Grey-Bruce—

Interruption.

Mr. Sargent: Take heed. They don't believe the Premier outside, either.

Mr. Deans: Sounds like the Minister of Education has just begun to speak.

Hon. Mr. Davis: I thought it was the leader of the NDP who had just arrived outside.

Mr. Deans: He went to save the day.

Hon. Mr. Davis: He went to save? Well, I can only say that I am very glad that the Minister of Education of this province has his own personal capacity to rely on, because if he is relying on the member for Scarborough West he is in very dire straits—very dire straits. I think the member for High Park (Mr. Shulman) would share that point of view.

Mr. Deans: The minister has caused the greatest disruption in education in years.

Interjections by hon. members.

Hon. Mr. Davis: Well, Mr. Speaker, I could become a little bit provocative if somebody is going to talk about disruption in the educational system. I have a relatively long memory and I know some of the activities of the member's former colleagues and present colleagues when it comes to disruption of the educational system, but I would say to the member for Wentworth that he is the last one to talk about it.

Interjections by hon. members.

Mr. Deans: The disruptive plan brought about—

Hon. Mr. Davis: And if the member for Wentworth doesn't believe me, ask the member for York South, because he will remember.

Mr. MacDonald: Now, get back to the question.

Hon. Mr. Davis: I was trying to answer a question and I forget what the question was. I think it had something to do with the computer and I think it goes back approximately eight years. I must confess Mr. Speaker, that it does cause me some difficulty to recall exactly what happened in 1965.

If memory serves me correctly it was at that period of time when the Metro boards and others were becoming involved in computerization of many of their administrative practices. I think at that time a great deal of attention was being given to the potential of computers for computerized instruction; that is, actual educational application rather than just straight administration. I think it is fair to state that at that moment in history—and I can't comment on the technical aspects of the hardware; I don't pretend to know—in 1965 and perhaps a year or so prior IBM was in the field of education, the development of software programming and personnel, and the application of computer use for the educational system as well as administration. In instruction it probably had more experience than some others in the field.

I think if one checks the records carefully—and the records going back eight years are not always too easily discernible—one will find that when I made a speech to the minister's information systems committee or whatever it was I did indicate that an order had been placed. In fact, it is what I understand is a letter of intent for the 360 series computer.

Mr. Sargent: What about a tender?

Hon. Mr. Davis: Just a second. Now that members have asked, I might as well give them the full story.

The 360 series was a relatively new series of computer developed by that particular company and the practice was to place a letter of intent for some future delivery whether it be six, eight months or a year. In fact, the institute went through a tendering procedure whereby there was an evaluation made, both within the ministry—and, incidentally not by the gentleman who was named in the story this morning—and by an outside consultant. Their recommendation for a variety of reasons—and I'm only going by recollection—

was that IBM should be the company to supply the machine.

Mr. Stokes: Is this a filibuster?

Hon. Mr. Davis: Filibuster? I don't know what the word means. The member can sure tell us what it means.

Interjections by hon. members.

Hon. Mr. Davis: He can give us a very excellent definition of it, I think, Mr. Speaker. I hope I've answered the question.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): There's a whole bunch of them over there.

Mr. Speaker: The hon. member for Thunder Bay.

FUTURE OF RED CROSS HOSPITAL AT BEARDMORE

Mr. Stokes: I have a question of the Minister of Health. What does the Minister of Health propose to do about the action taken by the Canadian Red Cross to close the Red Cross Hospital at Beardmore, leaving that community without any health services whatsoever? In view of the fact that the ministry indicated it was willing to give $30,000 to the Canadian Red Cross to keep the hospital open, will the ministry now undertake to take over the hospital and to improve the facilities, so that the people in the Beardmore area will be assured of a continued health service?

Hon. Mr. Potter: Mr. Speaker, this question was passed on to me by the hon. member and I responded to it in a letter which he should have today. Rather than take up the time of the House I think the—

Mr. Stokes: I haven't received it yet.

Hon. Mr. Potter: Well, it's on its way. It should be there.

Mr. Speaker: The hon. member for Ottawa East is next.

PROPOSALS ON MUNICIPAL FINANCING

Mr. Roy: Mr. Speaker, if I might ask a question of the Minister of Housing who, I take it, is the minister in charge of the allocation of funds under the joint federal-provincial programme signed last week.

An hon. member: NIP.

Mr. Roy: Mr. Speaker, there was an announcement made last week. I think subsequent to the signing of this agreement, that certain municipalities across the province were allocated funds. Would the minister advise whether such allocation precludes any other municipalities, which need funds for this type of project, from getting funds under that plan?

Hon. R. Welch (Provincial Secretary for Social Development, Minister of Housing): Mr. Speaker, following the signing of the agreement with the Minister of State for Urban Affairs, there were 22 municipalities which immediately qualified by virtue of some procedures which they had already taken under the old urban renewal programme. We have cleared the new criteria for qualification under NIP and, indeed, they were discussed at the Provincial-Municipal Liaison Committee last Friday and will be circulated. To answer the question—no; the fact that 22 have been announced now does not preclude others from making application within the framework of the criteria now approved.

Mr. Roy: If I might ask a supplementary, Mr. Speaker, subsequent to the minister's answer: Does that mean there are going to be funds available for other municipalities which might apply and which have not applied, let's say, under the old Act?

Hon. Mr. Welch: Yes, Mr. Speaker.

Mr. Speaker: The hon. member for Wentworth.

HEATING OF RENTED ACCOMMODATION

Mr. Deans: I have a question of the Attorney General, who, I believe, still has jurisdiction over landlord and tenant matters. Has the Attorney General received any information from the Toronto landlord and tenant advisory bureau about landlords in Toronto who are turning down the heat to a level of approximately 50 degrees, which is causing considerable discomfort to many tenants? Does he know that the landlord and tenant bureau yesterday received 98 calls, which comprised about 60 per cent of the total calls made to them about this very matter; and would he take some steps to ensure that landlords in this province and in this city in particular are aware of the law with regard to the heat requirements?

Hon. D. A. Bales (Attorney General): Mr. Speaker, that matter has not come to my

attention. I have not heard from them but I will check into it directly.

Mr. Speaker: The hon. member for Waterloo North is next.

DAMAGE TO PELHAM FARMLAND FOLLOWING TRAIN DERAILMENT

Mr. E. R. Good (Waterloo North): I have a question of the Minister of the Environment regarding the spill in the Pelham township area. Could the minister not use his powers, either under section 23 of the Pesticides Act or under the Environmental Protection Act, to stop all this inquiring and hearing, assess the situation and put forth orders as to what has to be done to bring the sterile land back as productive land? Does he not have those powers under either the Environmental Protection Act or the Pesticides Act?

Hon. Mr. Auld: I know I don't have it under the Pesticides Act. Sulphuric acid is not classified as a pesticide.

Interjection by an hon. member.

Hon. Mr. Auld: I suppose it would kill them, but they are hard to catch with a squirt.

Mr. Good: The Environmental Protection Act has the power.

Hon. Mr. Auld: The position there is that the University of Guelph soil people have made certain recommendations for restoring the soil which include additional agricultural limestone, the removal of some top soil and discing new top soil and limestone into it. As I understand it, one of the issues in dispute is the amount of money involved in doing this. The actions are really civil actions between the—

Mr. R. Haggerty (Welland South): The landowners need the minister's assistance.

Hon. Mr. Auld: —people involved and the railway. As I indicated in my statement a few minutes ago, we have said that we will attempt to assist in the settlement, although we are not interfering in the actual liability.

Mr. Good: Supplementary: Is the minister saying he does not have power to demand restitution when vegetation or crops have suffered because of environmental pollution? He has that authority in the Environmental Protection Act.

Hon. Mr. Auld: There is a provision for a hearing and a board of review; it is not a binding judgement.

Mr. Good: Has the minister had the hearing?

Hon. Mr. Auld: In my judgement, the information that I have indicates that we can be of most assistance in the way I have mentioned and probably of more rapid assistance. I believe there is only one individual in dispute. I think a settlement has been made with one of the farmers, the one who gave permission to put the lagoons on his property. I believe that they are close to a settlement with two others, and I think the fourth and perhaps the fifth is where the great difference is, although the difference is not as great as it appeared to be in the press.

Mr. Haggerty: Supplementary.

Mr. Speaker: The hon. member for Welland South, a supplementary.

Mr. Haggerty: Yes, I'd like to ask a supplementary question of the minister. Why was agricultural lime not used as a neutralizer in this instance? It was readily available.

Hon. Mr. Auld: Mr. Speaker, I indicated that in those areas where neutralization had to be done—I think starting some six or seven days after the spill when the major problem was dealt with—agricultural lime in fact was used. I can't say for sure how much soda ash was used. The hon. member is aware of the physical situation there. Ten of the 50 cars were leaking and some 200,000 gallons of concentrated sulphuric acid leaked down the embankment, mainly down toward the roadway and then down the two ditches heading toward the river.

There is a question as to how much flowed onto the fields of some 50 tons of soda ash that we were able to obtain close by in bags, before the large quantities came from Sarnia and Wallaceburg. Some of that which was poured in the ditch on the embankment may well have flowed into the field of the one farmer next door where that problem appears to be greatest. But there was no active treatment of acid on the fields by soda ash. That was done with limestone, as I understand it, subsequently, perhaps six or seven days after or perhaps longer.

Mr. Speaker: The hon. member for High Park.

Mr. Haggerty: I am sorry, Mr. Speaker. In future accidental spills, will the minister bring in a complete cataloguing of all chemical hazards and the specific neutralizers that are required to bring in the safety requirements for all spills?

Mr. Good: They are supposed to have that now, but they don't.

Hon. Mr. Auld: That information is now available in our 24-hour, sort of action centre. But I just want to re-emphasize that at 2 o'clock in the morning with at that moment in time an unknown quantity of sulphuric acid flowing around knee-deep in some of those ditches, I think that the action taken to deal with the immediate hazard to human health was the proper one. I think our people did the right thing once they were able to assess the problems when daylight came along. They got some idea of where the problems were, of the slope of the land and where the flows would be; they got some idea of how much time we had to deal with the acid before it got into the river. I think that they took the proper action. And all I can say is that I think it's a miracle that there weren't some human casualties as a result of that episode.

Mr. Speaker: The hon. member for High Park. Did he have a question?

Mr. M. Shulman (High Park): I had a question. I was going to ask the Premier, but I see the Minister of Education has faithfully returned. I was going to ask the Minister of Education if he intends to face the crowd again, and if he has someone else available to volunteer to fill the post in case of sudden necessity.

Mr. Speaker: The hon. member for Kitchener.

Mr. C. E. McIlveen (Oshawa): The member for High Park is not his usual self.

HIGHRISE FIRE SAFETY STANDARDS

Mr. Breithaupt: Mr. Speaker, a question of the Minister of Housing. As a result of that fire on the 27th floor of the Royal Trust Tower in Toronto last month, has the minister received any report on the conditions that caused that fire? And secondly, can the minister advise whether automatic sprinkler systems will be required in any and all future highrise projects, especially those of apartment sites?

Hon. Mr. Welch: Mr. Speaker, I am awaiting the report of the fire marshal in respect to that particular fire and I will be glad to give a more complete answer once I have that report.

Mr. Speaker: The hon. member for Rainy River.

NOISE LEVEL OF SNOW MACHINES

Mr. Reid: Thank you. I have a question of the Minister of Health and also the Minister of the Environment. I will address it to the Minister of Health.

Is the Minister of Health aware of the study on snow machines conducted at the University of Windsor which indicated that with 12 of the 22 machines tested the noise level equalled or exceeded the noise level allowed for industrial workers under protective legislation? Has he had any conversations with the Minister of the Environment to protect the hearing of people who use these machines?

Hon. Mr. Potter: Mr. Speaker, I have not had that report made available to me.

Mr. Roy: The minister has heard of snow machines?

Mr. Reid: Is the minister going to look into it?

Hon. Mr. Potter: Yes, I will.

Mr. Speaker: The hon. member for York South.

RALPH HEDLIN

Mr. MacDonald: In the absence of the Minister of Energy (Mr. McKeough), I have a question of the Provincial Secretary for Resources Development. Is Mr. Ralph Hedlin in the employ, in one capacity or another, of either the Minister of Energy or the Ontario Energy Board?

Mr. Roy: Tell him he is out of order. Ask for a Speaker's ruling.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): I don't know, Mr. Speaker, but I will find out.

Mr. MacDonald: When the minister finds out, will he also find out whether or not he deems it to be a conflict of interest, since Mr. Hedlin is also a consultant for Canadian Arctic Gas Ltd., a consortium of three or four big oil companies for the development of the Mackenzie pipeline?

Hon. Mr. Lawrence: Yes, I will find out, Mr. Speaker. The second question will be answered by the first, presumably.

Mr. Speaker: The hon. member for Perth.

Mr. MacDonald: No, no. By way of supplementary, Mr. Speaker; he's a consultant for

Panarctic Oils Ltd., but is also working in varying capacities for either the Ontario Energy Board or the ministry.

Hon. Mr. Lawrence: If he's not working in that secondary capacity, there will be no conflict.

Mr. Speaker: The hon. member for Perth.

TRANSPORTATION OF MOBILE HOMES

Mr. H. Edighoffer (Perth): I have a question of the Minister of Transportation and Communications. Does he expect to make any changes in the regulations for the transporting of 14-ft-wide mobile homes within the next two months?

Hon. G. R. Carton (Minister of Transportation and Communications): Mr. Speaker, this matter is under active consideration. We brought in a new policy fairly recently, as the hon. member knows, allowing 14-ft-wide loads to be carried on our highways, subject to special permits and subject to escort and other matters. It is a case of having regard, for example, to the safety, which is in my mind the most important factor. There is also the present housing problem in the province. There is also the matter of industry and the manufacture of these mobile homes.

It is not really an easy problem to solve, but it is under active consideration and I will be making a presentation within the next two or three weeks.

Mr. Speaker: The time for oral questions has now expired.

Petitions.

Presenting reports.

SCARBOROUGH GENERAL HOSPITAL CHRONIC CARE WING

Hon. Mr. Potter: Mr. Speaker, I wonder if I may table a report that is really an answer to a question that was asked by the hon. Leader of the Opposition yesterday concerning the Scarborough General Hospital? I have spoken to him about it and he suggested that I table it.

Mr. Speaker: Since the hon member who asked the question has agreed, is it agreeable to the House that we table this answer to a question?

Agreed.

Mr. Speaker: Motions.

Introduction of bills.

Mr. Roy: What, no bills? What's going on over there? What about withdrawal of bills?

Mr. Speaker: Orders of the day.

Clerk of the House: The seventh order, resuming the adjourned debate on the motion for second reading of Bill 274, An Act to amend the Ministry of Education Act.

MINISTRY OF EDUCATION ACT
(*continued*)

Mr. Speaker: The hon. member for St. George.

Mrs. M. Campbell (St. George): Thank you, Mr. Speaker. In rising to speak in opposition to this bill, I would have to say to each and every member of this House that insofar as I am concerned, it is one of the most unpleasant moments in my life that I should have to dignify such a piece of legislation, as proposed, with a very serious and concerned address on the subject.

We have heard from so many people who have spoken before me of their concern for individual rights and individual liberties, and on this subject, Mr. Speaker, I take second place to no one in this House.

An hon. member: Right.

Mrs. Campbell: It did not seem possible to me, Mr. Speaker, that in this day and this time, in a province such as ours and in a country such as ours, that we would be called upon to debate such legislation.

In speaking to the bill, it was introduced by the minister with two premises. One was that the mass resignations had constituted strike action. I would like to ask the minister to look at the Canadian law on this subject. Nowhere can I find any definition which states that the action taken by these teachers was in fact a strike action.

It is true in the United States that there are many cases which indicate this, but of course, quite properly, in their particular jurisdictions there was in fact legislation in advance which indicated that mass resignations were in fact a form of strike. That has not been the history of labour disputes in this province, and I would point that out to all thoughtful members of the government at this time.

I could refer hon. members to a very interesting book by Otto Kahn-Freund, "Labour

and the Law," in which he explains for those who perhaps do not already know it, what is a strike. He points out that a stoppage of work, for example, does not of itself constitute a strike. In this case there has been not even a stoppage of work, until today if you like, when teachers have been confronted with legislation that is so foreign to their beliefs, as they are teaching them to our children across the province.

And this is something we must bear in mind. It is foreign to their beliefs. It is certainly foreign to mine. It is foreign to our caucus. And, I think in all honesty, there must be members on the government side to whom, equally, it is a foreign proposition.

Interjections by hon. members.

Mrs. Campbell: Secondly, and I am glad, incidentally, that the minister nodded when I spoke about the matter of strikes and seemed to be in concurrence with what I was saying; perhaps he is no longer suggesting that this was a strike measure.

Hon. T. L. Wells (Minister of Education): Oh no.

Mrs. Campbell: I'm sorry. I saw him nodding. I will not make any assumptions, because assumptions in this House, as has been demonstrated, are very dangerous.

Mr. J. R. Breithaupt (Kitchener): He could just be nervous.

Hon. Mr. Wells: I was just saying that teachers have acknowledged that it is in the form of a strike.

Hon. G. A. Kerr (Provincial Secretary for Justice): The member is just a little naive.

Mrs. Campbell: The minister may say what he likes about what the teachers say and what the New Democratic Party says, but it is a matter of law, and surely that is what has prevailed in this province so far.

Secondly, there was that crocodile-tear approach that we must support the children in the community, and we must not in fact see the schools closed. I want to tell the minister that so far as I am concerned, I don't want to see schools closed either. But when it comes to the education of my grandchildren, I am concerned about the quality of education they receive. It isn't good enough to say that if we keep a classroom open, and if we keep the teacher in it standing up before children, simply to say that if they are in school we have solved the problems of education by having an open room and a teacher in it; that is not good enough for me.

We talk about the learning process; surely one of the important functions of a teacher is not to stuff facts and figures into little heads. What in fact it is, surely, is to create in a child a concern for learning, a love of learning. That is an intangible quality that a good teacher has. And the minister knows, as I know, that no teacher can effectively carry out this job under force, under pressure and under duress.

So I say, on the basis of the premises for this proposed legislation, surely the minister has to acknowledge that he is wrong on those two counts.

Much has been said in this House about the way in which the teachers and their boards have settled their affairs in the past. It has been, I think members will all admit, a very fine record of co-operation between the boards and the teachers, to try to evolve something of equity for a group in this community to whom every one of us—and I'm sure we all admit it—owes a tremendous debt.

What has happened at this particular time? We've heard about the ceilings. The minister has stated that the ceilings did not effect the negotiations, in any way. He has stated that some of the schools, particularly in the Metropolitan area, have settled within the ceiling formula. That, of course, may very well be true but there has been no attempt to analyze the situation in those boards where the teachers and the boards have not resolved their difficulties. I suggest, as strongly as I can, that this infamous legislation should not pass with all of these uncertainties hanging over it.

I would say as to the bill itself, in one respect, it is certainly a matter of uncertainty, in my view. As one reads its various clauses, how in the world is one going to ascertain the group which it actually fits, that is the teacher group? The minister came forward and stated that we could tell those who really wanted to resign because they sent in separate notes. The ones who were playing games put them in en masse. I don't think I have to labour the point to anyone who has a knowledge of the law and the definitions of law, that is simply an oversimplification in trying to ascertain the group to which all of this will apply.

I'm sorry that just as I was speaking the Minister of Colleges and Universities (Mr. McNie) left because, let me tell members, from attending their meetings, the government is facing exactly the same situation

there, I would warn the minister against enlarging this infamy; I would warn him not to take that step too.

It has been said that what he has succeeded in doing is to unite people who were never before united. This is a fact. He has united the teachers, the colleges, he has united, to some extent at least, some universities and he has also united a great many other groups which have become disenchanted with the autocratic approach of this government to their concerns.

It isn't my place, of course, to advise him on those grounds, to think it through again, but I can't take pleasure and I can't take delight in what is happening here. To me it is a tragedy and it's a tragedy for which the minister and the minister alone is responsible.

In a free society it has been said that to force a person to perform a service is reprehensible. With that, I am in hearty concurrence.

It is true that in the history of labour law and labour relations, for the benefit of the whole there has been a consensus that if there is a strike action which affects the health and safety of the nation or a portion of it—such as the Province of Ontario—under those circumstances there is at least some vestige of right in government taking a position. In the United States, writers have pointed out that what has happened is that instead of being concerned with health and safety, governments there are more and more using their power for political expediency. If members wish a reference to it, they may consult Mr. C. J. Gellatly in "Government Intervention in Public Emergency Disputes."

Then we come here and until now, although there could be questions about the use of government power, at least we have not seen it extended to a case such as this.

I wonder if the minister would recall with me what happened to the answers to questions when the opposition, foreseeing these problems, asked what measures he was taking. It seems to me that again the problem lies in his own thinking because he said he did not anticipate resignations. Perhaps it's that very weakness in his approach to the matter which caused him not to take the steps of trying to get mediation on a meaningful basis during all these weeks, and which put us all in this position we find ourselves in today.

I would like, too, to look at the question of what I would call the legality of this legislation. In my view, and I put it forward as strongly as I may, it is ultra vires. There is no question, of course, that it is within the ambit of this government to introduce legislation dealing with the educational system. No one is questioning that. But there are areas, under the doctrine of occupation as set out in the British North America Act, in which in my view a province or a group of provinces are precluded from introducing a bill of this kind. Let me just refresh the member's memories on the Canadian Bill of Rights. In that bill, this is what is said as a preamble:

> The Parliament of Canada, affirming that the Canadian nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person, and the position of the family in a society of free men and free institutions . . .

Mr. Speaker, that is enshrined in the laws of this nation.

I would like now to take a book with which I'm sure the members are all familiar—Webster's Dictionary—but just to refresh their memories: "Bondage: A state or position of being bound; restraint of personal liberty by compulsion or involuntary servitude."

Mr. J. E. Bullbrook (Sarnia): Does that strike home? Is that striking home to the minister?

Hon. Mr. Wells: Tell the members who brought in the legislation she just quoted.

Mr. Bullbrook: It's not? Well, the minister is immune to logical arguments then.

Hon. Mr. Wells: Who brought in the legislation she just quoted?

Mr. Speaker: Order. The member for St. George has the floor.

Mr. Bullbrook: You bet your life she has the floor, and she's doing a great job, too.

Mr. Speaker: Give her a chance to talk, then.

Mrs. Campbell: I am speaking, Mr. Speaker, as earnestly as I know how, hoping that even at this last moment I can get through to some of the members opposite to listen to what we're saying. We're not playing games.

If one couples with the Canadian Bill of Rights the definition of bondage, then one has to look at what the government is doing. It is, of course, quite true, as I have said before, that some limits have been accepted by consensus in some of the areas of organized labour, but one couldn't go before a court today and show that the teachers, by

their resignations, have done anything other than comply with the contract which the government prepared, which the government handed out to them, which is on the government's form. And the government didn't have any kind of lawyer telling them that if they did it together it would be illegal.

The government talks about mass resignations. Let me give one example. If one person resigns is that legal? I suppose so, if it's within this time. If two people resign, is that legal or is it beginning to be dicey? And when does it get to be something that is wrong, in the government's mind?

Hon. Mr. Wells: When they don't want to vacate their jobs.

Mrs. Campbell: That hasn't been established yet as far as I can see. This is the whole problem of the thought that this legislation is retrospective.

To get back to the question of what has been ruled by the courts to be ultra vires, first of all, I have to say it is trite law, that the courts do not like dealing with constitutional questions. Time and time again all of the dicta from the Supreme Court of Canada will say the question of whether something is intra vires or ultra vires is for the Legislature, that is where it should be argued. But of course that doesn't preclude their dealing with it.

Let me refer you, Mr. Speaker, if I may, to one case. These cases are not on all fours with teachers, I will grant you that. There was one case called Winners v. Eastern Ltd. and the Attorney General of Canada. I am sorry the Minister of Transportation and Communications (Mr. Carton) is leaving, because he might be interested.

In that case it was a question of the rights of a province to control its highways, rights which I would suspect everyone in this House believes are a paramount right. In this case an American citizen who lived in Boston owned buses plying between Boston and Halifax. In the course of his occupation he was granted a licence under the Motor Carrier Act for the operation of his buses, but there was a rider on it that under the laws of Nova Scotia it was subject to the restriction that no passengers could be picked up in Nova Scotia and none could be deposited in Nova Scotia.

Mr. Speaker, that was ruled by the Supreme Court of Canada to be ultra vires and the dicta on that are very revealing. There you had at least this kind of comparison, that it was an area which could be occupied by the province under the British North America Act, but there was an overriding umbrella of federal jurisdiction which the provincial government could not pierce. That I would ask you to keep in mind, Mr. Speaker.

Another one was the infamous Alberta bill which sought to enforce upon newspapers absolute accuracy in reporting government's position. Again they were of the opinion in Alberta that this matter was properly within the function of property and civil rights and that they could, in fact, successfully bring in this legislation. They successfully brought it in and it was successfully ruled by the Supreme Court of Canada to be ultra vires.

It is important that the government bear this in mind, because undoubtedly this legislation will be challenged in the courts. Does anyone have any doubt about that? What a sad situation it would be for this government if it had introduced legislation of this kind in order to squelch the teachers only to find that a court, and probably the Supreme Court of Canada eventually, would decide that it was ultra vires and the government had used the weight of its power against a very narrow group in this community. I ask the minister to think about that, because it is of tremendous importance to all of us that at least he is aware of the kinds of problems he can, and in my view will face, in trying to bulldoze this legislation through. There is no doubt, of course, that if the Tories put their minds to it, they'll jam it through.

Mr. Bullbrook: It doesn't require their minds.

Mrs. Campbell: Well, it certainly isn't their hearts.

Mr. Bullbrook: No, right. It's purely their numbers, that's all.

Mr. D. M. Deacon (York Centre): It hasn't been their minds so far, either.

Mrs. Campbell: In the case of Bill 9, which was the newspaper case, it was said by Chief Justice Duff:

> (Any attempt to abrogate the right of public debate in that case would be incompetent to the Legislature of the province, or any one of them, as repugnant to the provisions of the British North America Act by which the Parliament of Canada is established as the legal organ of the people of Canada under the Crown.

He said that any part of it vitiated the whole.

Then we look at what the minister is proposing to do. In the original bill, he just

vitiated the resignations. He says he is going to stay where he is, it's going to work and he'll arbitrate this situation. Where is the Minister of Labour (Mr. Guindon) to advise him of the inherent principles of arbitration? An arbitrator cannot be fettered in his arbitration—he or she; fortunately I think we do now have at least two women who are in that position in this province. We are certainly making headway fast.

They must have a free opportunity to make a complete investigation and to bring in a binding award if, in fact, one is into that aspect of labour legislation.

How in the world could any of the government members, as fair-minded people, believe they could bring in a binding award when the arbitrator cannot carry out his or her function? This, Mr. Speaker, is where we get to the matter of the ceilings. One cannot, surely, say to any arbitrator: "You take these two groups and you arbitrate and come back and impose your findings on both of them."

We hear about local autonomy and, Mr. Speaker, what I have found to be the definition of local autonomy from the government's side since I've been here, is that it's local autonomy if they've got a tough question and they don't know how or don't want to answer it. That's the case with checkerboarding in the Planning Act and that's what they've got in this bill.

Let the local boards have their autonomy—to do what? In one case that I do know of, the new grant coming forward was less than the offer of the teachers. And the minister is talking about a settlement between them. He is talking about an arbitrator being able to settle that. He might. But it's the premise upon which arbitration is based that the minister cannot vitiate in this way, in this time and in this province—and people will not accept it.

He cannot bind the arbitrators in advance, and this is what he is doing. I'm saying it more than once, and I'm sorry if I appear repetitive, but I want it to get through—if there is any way on earth that I can, with the utmost sincerity—get through to the minister the concerns that we have on this piece of legislation.

Mr. Bullbrook: My colleague was a judge and an arbitrator. She knows whereof she speaks.

Hon. A. Grossman (Minister of Revenue): Why did the member for Sarnia find it necessary to say that?

Mr. Bullbrook: I found it necessary because it might impress the minister sufficiently to see what is wrong with the legislation.

Hon. Mr. Grossman: I am paying more attention than the member.

Mr. Breithaupt: We'll have to start from a lower threshold.

Mrs. Campbell: Mr. Speaker, strongly as I feel, I have been very careful, I hope, not to exacerbate this situation, which, in my view, as I have said before, is a tragedy. I am trying to bring some element of reason into this debate in the only way I know how to reach the minister, to make him understand.

Today, these teachers have been massed in the city, in Sudbury, in Windsor; they've been massed all across this province. What does the minister think the children of this province and their parents are thinking? With his usual sophistication, the minister probably has done some Gallup polls. But I'll tell him that there are a great many people deeply moved and deeply concerned, because they know now what they didn't see before.

First, there were the denturists, then there were the teachers. Who is next? Who comes next in the string of the processes to damage, to control, to autocratically deal with citizens of this province?

I wonder what the government is going to do about dentists, doctors or others? And if they start doing that, it is going to be pretty tough not to keep everybody on the job without a right to resign, without a right to move, because everything in the community is essential in relation to the whole. Just think about it. They are up to their ears in the middle of night in water, and they can't get a plumber. Are they going to legislate about that situation too?

Hon. Mr. Grossman: Might not be a bad idea.

Mr. Bullbrook: Listen, we will never take away the minister's right to resign. I want to assure him of that. We will never do that, because we invite it right now.

Mr. Breithaupt: We'll give the government a group rate.

Mr. Bullbrook: They can all go, with one exception.

Mrs. Campbell: And then there was another thing that the minister said. I have to assume

this is supposed to come before arbitration, because he was so quick to answer the question: "Who is going to determine who has resigned in accordance with the wishes of the Tory party in the Province of Ontario?" He said it was going to be the school boards. Apparently it is not even going to arbitration, and so, even if we were involved in strictly labour legislation and labour law, one more right for teachers has gone down the drain.

Is it possible the minister cannot distinguish between the union type of collective bargaining, and collective bargaining which is an umbrella under which individual people are individually bound? This is what the minister has in this case and he shouldn't let it get away from him. These teachers, by this kind of legislation, have maintained all their responsibilities but none of their privileges—none of them.

Mr. Speaker, you cannot do that to free people in a free society. You cannot do it to free people. If the minister is trying to answer me—

Hon. Mr. Wells: I say, what privileges have been taken away?

Mrs. Campbell: Their privilege of leaving the job.

Hon. Mr. Wells: They can still leave.

Mrs. Campbell: I know. I have heard that sham. It's the same sham as the sham that the boards of education have the power to negotiate. The boards of education, since this government has been in office in the last few years, have become straw people. They can't make decisions because the government in this ministry is affecting their decisions every day. Let me give the member an example.

Mr. Speaker: Order, please.

Mrs. Campbell: Let me give one example, Mr. Speaker.

Mr. Speaker: Order, please. May I just remind the people in the gallery — order, please—of a word which I uttered a few moments ago, but I'll repeat it for the people who have just come in.

They probably did not hear that there's no form of demonstration allowed in our galleries, please. You are here as our guests and our visitors and we would appreciate you recognizing these very strict rules of our House. Thank you very much. The member for St. George.

Mrs. Campbell: Let me just give one example. We have had some discussions over HS-1. Some of the boards felt there should be a core curriculum invoked—the Toronto board is one of them. They said they would like to revert to at least a core of subjects. The ministry said, uh-uh, that would be premature. They had to wait for the OISE reports or whichever reports they were going to get. Then he came along and stood up in this House and announced the restoration of some Core subjects. That is local autonomy in the definition of the minister and of this government.

Hon. Mr. Wells: They wanted us to do it.

Mrs. Campbell: Surely, this kind of decision—impulsive, ill-planned, not waiting for the report if that is what they wanted the boards to do—may very well effect both classroom sizes and the cost. The whole matter of the cost of education has to be related in some areas to the curriculum demands imposed by this government without consultation with the teachers who have to work in the field.

Hon. Mr. Wells: I don't understand which side of that issue the member is on.

Mr. R. Haggerty (Welland South): The minister doesn't understand anything.

Mrs. Campbell: I'm sorry. Let me go back and explain simply, as to a little child.

Hon. Mr. Wells: Is the member for required subjects or is she for the free choice there was before?

Mrs. Campbell: I'll be glad explain.

Hon. Mr. Wells: All right. Let the member tell me whether she is for the compulsory subjects or not.

Mrs. Campbell: I, Mr. Speaker, have been of the opinion—

Mr. J. Riddell (Huron): It will take some explaining to the minister.

Mr. Speaker: Order, please. The hon. member for St. George has the floor.

Mr. Bullbrook: You are calling that minister to order, I hope. Good for you, Mr. Speaker.

Mrs. Campbell: I have been of the opinion—

Mr. Bullbrook: He is in favour of mob rule, that fellow.

Mrs. Campbell: If the minister wishes to speak now—did he wish to speak now?

Hon. Mr. Wells: No.

Mr. Speaker: Order please.

Mrs. Campbell: I am sure there are people breathlessly waiting for what he is about to say.

Interjections by hon. members.

Mr. Speaker: Order, please. We all want to hear the member for St. George.

Mrs. Campbell: Thank you, Mr. Speaker.

Mr. Breithaupt: So do we.

Mrs. Campbell: The minister has asked me and I am going to tell him exactly what my position is. I have alway felt it was important that the children of this province should be able to read, write and speak English. I have always been of the opinion that the children of this province, if we could ensure enough teachers who could give the kind of training needed, should be able to read, write and speak French.

Mr. Bullbrook: We agree with that.

Mrs. Campbell: Certainly on the subject of Canadian studies, there is no doubt in my mind that this should have been part of a core. The difficulty, of course Mr. Speaker, and the dichotomy that appears to exist in the minds of people, is that this government has done so little to develop the resource materials to teach it properly. Some people really believe it is better if our children don't know too much of their history, and they are all going to grow up believing that this country was developed on the totally American style of the covered wagon and don't know the first thing about the waterways of Canada. This has been been happening.

Mr. Speaker: I think we are straying from the subject.

Interjections by hon. members.

Mr. Speaker: Order, please. I indicated the question was out of order and the answer has been too.

Mrs. Campbell: Thank you, Mr. Speaker.

Mr. Speaker: Could we get back to the bill? Thank you.

Mrs. Campbell: So often we are accused of not clarifying our position. I wouldn't want the hon. minister at any time to misunderstand what the position is, but what I had said, of course, is that costs flow from these on-again, off-again Finnigan type of decisions of the minister, without consultation with those who have to work within ceilings and those in the classrooms.

This, of course, is the whole reason for the unrest which has culminated today in this very sad day in the history of this province. Although, if it has been necessary, and if in fact in the long run this is the beginning of a free people with free rights, maybe it isn't the tragedy it seems to me to have been. Maybe this is what has to happen to a government which has settled back into its comfortable pew without any real understanding of what is going on across this mighty province.

I really don't know what it takes to get through, whether it is essential that members opposite follow solidarity just for the sake of solidarity, just to prove that they believe in the party system and the party structure, or whether it is not important to follow principle.

Mr. S. B. Handleman (Carleton): When did members ever break ranks over there?

Mrs. Campbell: Oh, I think one of the members over there said something. The member for Ottawa-Carleton, I think, had something he wanted to say.

Mr. Handleman: It's the member for Carleton. When did members ever break ranks over there?

Mrs. Campbell: I'm sorry I'm not catching the member.

Mr. Handleman: When do members break ranks over there?

Mrs. Campbell: When do we break ranks? I would think that members opposite have been accusing us so often, and if they have been so inaccurate in their accusations that they do not know that, perhaps they should withdraw the accusation.

Interjections by hon. members.

Mr. V. M. Singer (Downsview): Try the next interjection.

Mr. Bullbrook: Sit back in silence.

Mr. R. F. Ruston (Essex-Kent): Learn to be quiet over there if possible.

Mr. Haggerty: I think that will do him for a while.

Mrs. Campbell: This morning Prof. Muir's excellent work was cited to the House. I don't need to dwell on his qualifications.

Coupled with this was a statement by a person such as Mr. Borovoy, and Osgoode Hall itself expressed its concern and also the medical profession. Let me say this, and it is on page 226 of Prof. Muir's volume on the task force on labour relations study No. 21; he says:

> In general, it is impossible in a free society to coerce any substantial segment of the population into accepting conditions which are not freely and generally acceptable to them.

Mr. Haggerty: That is state control.

Mrs. Campbell: Prof. Muir says:

> The right to withhold services must be an inalienable right in a free society.

Those are the two points which I trust that members will bear in mind.

The government does not believe in inalienable rights. That is something that bothers me terribly, that that would be its philosophy in government, that there are no inalienable rights. What a tragedy for me to find it out so late.

When Prof. Muir also says it is impossible to coerce, believe me, if the government looks at the practical aspects of what it is saying in this bill, when it is going on about the importance of the teachers in the schools, remember what this man has said: "It is impossible in a free society to coerce any substantial segment of the population."

And what does the government think this bill has by way of an effect on any teacher if he has to sign a contract again in the same form? I think the government has to think about that, because what is the worth of that contract to anyone coming into the teaching profession when they look at this? If the government reduces the time and says: "All right, we'll only allow teachers to resign at one time in a year," they are not going to believe the government. That's the real sadness of all of this: The government is totally unbelievable to so many of the people in this province. And it takes really hard work on the part of a government to put themselves in that position.

I just want to sum up, Mr. Speaker. I have touched on the fact that in my firm opinion —and of course there may be those who disagree—but in my firm opinion, subject to strict labour legislation definitions, this particular bill is ultra vires, and I would refer members to the work of one of our great jurists today, a man who at least has stood out in some of the most controversial cases in the Supreme Court on the side of justice, of civil liberty and of no discrimination. That, of course, is "Canadian Constitutional Law," by Mr. Justice Bora Laskin.

I want to touch on one other aspect. Our friends in this House, speaking on behalf of the New Democratic Party, have somehow castigated some of my colleagues because they were not very enthused about the idea, as they put it, of the minister pushing teachers into unionized labour camps—

Mr. F. Laughren (Nickel Belt): Labour camps?

Mr. I. Deans (Wentworth): What is the member talking about? Labour camps?

Mrs. Campbell: I'm sorry. The camps of labour.

Mr. Deans: Is the member opposed to labour camps?

Interjections by hon. members.

Mrs. Campbell: Mr. Speaker, if I may correct; I don't want any misinterpretations.

Mr. Deans: Well, I wouldn't want any either.

Mrs. Campbell: Two of our speakers were concerned about the possibility that teachers would be forced into the union movement by reason of the action of government. And they were, of course, castigated by the NDP as retrogressive and the rest of it.

I'm going to tell you what my position is, Mr. Speaker. They can call me retrogressive or anything they like, but one of the real problems in this mess is the fact that, as quoted before, 70 per cent of the teachers in the public or elementary school system are women, and 34 per cent of the teachers in the secondary school system are women.

If the minister looked at the problems of women in unions, at the discrimination they have faced in the public service unions—

Mr. Laughren: Oh, here it comes!

Interjections by hon. members.

Mrs. Campbell: —he would then know what I am talking about.

Mr. Bullbrook: Right. If we could get the NDP to do something about that.

Mrs. Campbell: Now, let me say this—

Mr. Laughren: At least the member is consistent; now comes the anti-labour part.

Mrs. Campbell: All the government has to do—and it isn't anti-labour; it's just the anti-labour bosses that I am concerned about—

Mr. Singer: The member for Nickel Belt is awfully sensitive.

Mr. Laughren: No, I'm upset.

Mr. Singer: Must be wrong again.

Mr. Laughren: That's anti-labour disguised as anti-union.

Mr. Deans: They would never convince the students the Minister of Education is sensitive to their—

Mr. Speaker: Order, order, please.

Mrs. Campbell: All right. I am answering my position and I am making it clear.

Mr. Deans: I wish the member to repeat it.

Mrs. Campbell: Let me say this—

Mr. Laughren: Too bad the member wasn't in on that speech.

Mr. J. A. Renwick (Riverdale): Because he was there and because we know.

Mr. Deans: I was there.

Mrs. Campbell: During my service on the municipal councils—

Interjections by hon. members.

Mrs. Campbell: The first speech I made on Metro council was in opposition to a contract negotiated by Local 71 with Metropolitan council covering a contract for nurses at Riverdale Hospital, which at that point in time was under the jurisdiction of Metropolitan Toronto.

And let me say this: The union leaders did not lobby on it, as they did when they really wanted to get something done. They didn't lobby on it. And the provisions of that particular agreement were that the supervisor of nurses at that hospital would have the same starting salary as the elevator operators. That was a proud day for unionism; and it was a proud day for management.

Mr. Deans: What did the member for St. George do?

Mrs. Campbell: I fought it.

Mr. Bullbrook: Atta girl!

Mrs. Campbell: And if members go back in the history—read Ron Haggart on the subject, because it really made the press. Back in—

Mr. Deans: What about all of the member's Conservative friends? What would they think about—

Mr. J. P. Spence (Kent): Don't interrupt her.

Mrs. Campbell: On top of that—

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Singer: Why is the member for Wentworth suffering so much?

Mrs. Campbell: I am sorry the member is so sensitive, but I have to make my record clear.

Mr. Deans: The Liberal Party—

Mr. Speaker: Order, please. The member for St. George has the floor.

Mrs. Campbell: Thank you.

Mr. Bullbrook: Don't be so vicious; goodness gracious.

Mr. Ruston: The member for Wentworth will have his chance. He won't say anything, but he'll have his chance.

Mrs. Campbell: And then, in 1969 there was another contract negotiated with Metro for Green Acres staff. The press came out when the women moved for the establishment of their rights for equal pay for equal work; which had been denied by both management and labour—

Mr. Deans: Had it been offered by management and refused by the union?

Mr. Spence: Don't answer him.

Mrs. Campbell: I am not trying—I am just saying this is a negotiated contract and these women—

Mr. Bullbrook: If the member for Wentworth can't follow the story, we are not going to repeat it for him all the time.

Mr. Singer: The member is having trouble again; he's having trouble again.

Mr. Deans: A typical union, anti-labour position.

Mrs. Campbell: These women won an award on something over $80,000 because of that kind of reprehensible contract. I think that at least women must be very careful

that they do have protected rights and that there will not be any of this discrimination; because, of course, there is.

And on the fact that the minister sent around his little billet-doux asking for some equal consideration for women in supervisory capacities, it was interesting that the board of education in North York received a statement from the minister asking them to ensure that the women in the system would have equal opportunities for supervisory positions. However, the timing was rather bad, because on the very day that the board of education in North York received that, the minister announced two new appointments to staff; senior appointments, both male. It's a little difficult to follow the intrigues of—

Hon. Mr. Wells: I can see what's coming.

Mrs. Campbell: —the minister in all the ramifications of this proposed bill.

Hon. Mr. Wells: Just wait and see what is coming.

Interjections by hon. members.

Mr. Laughren: The shallow, convoluted, superficial, anti-union opinion of the Liberal Party again.

Mrs. Campbell: I'm sorry that so often people cannot take the truth.

Interjections by hon. members.

Mr. Deans: Just wait.

Mr. Bullbrook: The member for Wentworth doesn't really scare anybody in this House at all, with "just wait." He will hear the truth.

Interjections by hon. members.

Mr. Deans: The truth of the Liberal Party is that public expediency pressed them to go for this legislation.

Mrs. Campbell: Mr. Speaker, I have been in public life for a long time—

Mr. Deans: Too long.

Mrs. Campbell: —and at no time have I been accused of political expediency, and the member can't make it stick.

Mr. Bullbrook: The member for St. George was fighting for people even when the member for Wentworth was on the boat on the way over here.

Mr. Singer: Whatever happened to the NDP candidate in the St. George by-election? Or in Huron?

Mr. Bullbrook: She was representing people when the member for Wentworth was on the boat. Doesn't he realize that?

Mr. Deans: I wasn't on the boat. In those days she represented—

Mr. Speaker: It appears that the hon. member for St. George has the floor.

Mrs. Campbell: Every once in a while, Mr. Speaker, I wonder about that.

Mr. Speaker: Well, I was beginning to, that's why I spoke up.

Mrs. Campbell: That's why you came in? Thank you. I'm glad, Mr. Speaker, that you've defined it for both of us.

As far as I'm concerned, Mr. Speaker, I could go on indefinitely on the question of the rights of women in the bargaining units at city hall. I can tell members this: When I went to city hall there wasn't one woman who had what was a grade 1 position—which is a top secretarial position at city hall—because between the unions and management, they couldn't get the jobs which—

Mr. Laughren: Pay the secretaries a little more too.

Mrs. Campbell: —would allow them to fulfil the definition or job description to be grade 1 clerks.

Mr. Laughren: What kind of jobs did the secretaries the member has had have?

Mr. Speaker: Order.

Interjections by hon. members.

Mrs. Campbell: Would the members kindly cut the cackle and let me get on with it?

Mr. Speaker: Surely, the members would grant the lady member the courtesy of allowing her to make her speech.

Mrs. Campbell: Oh, no, no. I seek no privileges nor want any.

Mr. P. D. Lawlor (Lakeshore): Equality!

Interjections by hon. members.

Mrs. Campbell: It may take me a little longer than I had planned to take if we're going to take so much time with interruptions.

Mr. Bullbrook: The member can take her time.

Mr. Singer: Don't be panicked by them.

Mrs. Campbell: I may say, and I say very proudly, when I left the city hall every single one of the commissioners had a woman secretary who was a clerk grade 1. That is what one does if one really puts one's heart and conviction into what one talks about in the role of women in today's community.

Mr. Laughren: Why doesn't the member put her money where her mouth is on the second reading?

Mrs. Campbell: I have said this because I am of the opinion that I cannot permit to pass those things which have been said which, to a degree, have gone unchallenged because the opportunity wasn't there to answer them.

There is no question in my mind that there isn't a person in this House who is as outraged, as concerned, as completely unable to comprehend the kind of government that could do this as our caucus is. We stand together; make no mistake about that. Nor, Mr. Speaker, do any of us want to really enter into a truly partisan hassle on a subject as serious as this one.

It is not a day for celebration. It is not a day to become excited by what we have seen and heard. It is, if ever a day was, a day for some very real contemplation of where we are going in this province.

I know that it has been said that a "beneficent dictator" is probably a most efficient form of government, but we don't want any part of it, beneficent or otherwise, in this party.

It is equally true that democracy is a very difficult form of government and, as Mr. Churchill said—and I am paraphrasing, because I am not very good at remembering the actual phrases—it is the worst of all forms of government, save and except any other.

So we will try from this side to continue to uphold what we believe to be the highest tradition of democracy. And it does not include this kind of coercion, this kind of pressure, this kind of force by any government in our nation.

Mr. Speaker, we have heard both the speakers for the Liberals and for the New Democratic Party asking that the minister withdraw the bill. Truly that is what we want. We have asked that at the very least the minister hoist it and get it to a committee. But I say now that, in my opinion, to ask for that would be almost hypocritical at this point, because I think we have passed the point when that could have any real effect.

I know, with everything I have in my being, that nothing of what I have said today is going to make one ounce or one iota of difference to any of the government members. That is what is so frustrating in this House. At least in other democratic places there is a chance that one can at least win somebody to what we hope is the voice of reason.

So I am left to express an opinion, which in some ways is difficult for me to express; but it is, as I see it, the only thing that I could do in this debate—and that, Mr. Speaker, is to solemnly, seriously request that the Lieutenant Governor of this province not give royal assent to this bill. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: Mr. Speaker, the subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures. So said Junius, so says the Globe and Mail, and so say I. It is not nearly as important whether the Globe and Mail says it, or whether I say it, or who said it originally, but that so act the teachers of the province of Ontario.

The fact of the matter is that the teachers of the Province of Ontario have taken to heart the comments of Junius from some 200 years ago and have stood up and said to this government that they will not submit to the arbitrary actions of the government. This party applauds them. This party has stood with them from the moment this action became apparent. This party alone has stood behind them and beside them during every single moment of every single day since the government saw fit to introduce this disgraceful legislation.

The Liberal Party may, at this point, feel somewhat pious about having been able to relieve themselves of the tensions which built up within their own group after their tragic mistake on first reading.

Mr. T. P. Reid (Rainy River): Pontius Pilate had nothing on the member for Wentworth when it comes to being pious.

Mr. Deans: But it should be pointed out, sir, to you—

Mr. Haggerty: Oh, the member can do better than that now.

Mr. Deans: —that every single member of this House who wanted to know knew what the bill was about before the first reading

vote took place. And the Liberal Party, true to its tradition—

Mr. E. Sargent (Grey-Bruce): There is the enemy over there.

Mr. Deans: —living up to its expectations with regard to its feelings about labour relations, refused—

Mr. Riddell: Is he discussing the bill or campaigning for the next election?

Mr. Sargent: He is in a rut.

Mr. Deans: —to support us in opposition to first reading.

Mr. Sargent: Same old garbage all the time.

Mr. Deans: The debate in this House, Mr. Speaker, is not about compulsory arbitration, or labour-management relations, or even collective bargaining. Certainly these matters were the catalyst that sparked the controversy in which we are now embroiled. But today, at some point, we are going to be asked to vote on a bill which, when viewed with understanding and a sense of historical perspective, if allowed to pass will detrimentally affect the educational process of the Province of Ontario for years to come.

There have been a number of people in the province who have spoken about the legislation. Support for the teachers has come from all sides. To some extent, the support for the teachers was somewhat unexpected, because in fact I think the government believed that the teachers would be forced to stand alone. I think that the government calculatedly and with malice—

An hon. member: Aforethought.

Mr. Deans: —decided to put down the teachers of this province at this time. And I want to say that I don't believe that it was the sole prerogative of the Minister of Education. I believe the bill was dreamt up by the Premier (Mr. Davis), was pushed forward by the Premier, and is currently being stood up beside by the Premier. And I say to you, sir, that this bill not only should be withdrawn, but this government owes it to the people of the Province of Ontario to resign—

Interjections by hon. members.

Mr. Deans: —because this legislation goes far beyond—

Mr. D. C. MacDonald (York South): He who laughs best, laughs last.

Mr. Deans: —just the impact that it has on the teacher in the classroom.

This legislation goes to the root of the society in which we live in the Province of Ontario. This legislation carries with it all of the bias that this government has had over the years about the collective bargaining processs. This legislation carries with it the programme, as set out by this government, to bring every single working force in the Province of Ontario within compulsory arbitration.

When I spoke on the Crown employees bargaining I told the then chairman of the Management Board that that was about the first step in the door. I predicted on that evening, in the wee small hours, that this government would be proceeding within a short period of time to bring into line the teachers, to bring into line the civic employees, and to bring into line all other groups in society and to do away with their democratic rights of collective bargaining and free collective bargaining. I want to tell you, Mr. Speaker, that since that time much of what may well have been—and frankly was —considered by the government to be a lot of nonsense, much of what was said at that time is beginning to come home to roost.

The course of history, Mr. Speaker, is not written about weaklings or elitists, but about committed and sensitive people who are tough-minded and who come from simple backgrounds and who are serious of purpose. And the history that is taught in the schools of the Province of Ontario speaks boldly about such heroes.

It speaks boldly about the people of the province who stood up for what they believed. It speaks boldly about the leaders of the province who stood up against oppression. It speaks about the leaders of the province who have over the years been counted upon to provide the kind of support that people need in times of stress and oppression.

And that is the kind of history that will be written about the teachers of the Province of Ontario, if and when the history of this incident is finally written.

Because the teachers of the Province of Ontario have decided, and quite rightly so, that they are no longer going to be oppressed. That it is not simply enough to pay lip-service to the fine job that they do. It is not simply enough to say that to be a teacher in itself is enough and that you have to accept all of the restrictions and downgrading that goes with it.

The teachers of the Province of Ontario have a very high code of ethics. It is a code

of ethics which, unlike many other professions, is not written into law. But for the teachers, their obligations to society, their obligations to the children and their obligations to each other are spelled out in the law of the province. And these are onerous obligations; obligation which they live up to on a day-to-day basis. And this government has, in its normal way, attempted to twist the facts.

The government talks about children and the effect on children. We teach children about wars and about war heroes. We idolize sports heroes. We teach children about people who are, in fact, not worthy of the position which they hold in history. And yet we can't somehow tell the children the truth about the educational process.

We talk of guns and of tanks and of bombs and of killing. We enlist children into armies. And yet we can't somehow or other have the children miss a day of school because the teacher has a conflict which must be resolved with the board.

Children around the world starve, and yet ours in this province would somehow or other be forever deprived if there were to be any kind of school stoppage for a short period of time.

Children are going through a world of despair and with an unsure economic future. We don't plan, we don't even understand what's coming in the future. And yet they can't for some reason or other, they can't miss a day of school.

The system of education doesn't even begin to meet the needs of the retarded children in the province, the physically infirm in the province, the nutritionally-deprived in the province; and yet children, somehow or other, would suffer immeasurable harm if teachers were given the opportunity and the right to withhold their services, should the occasion arise.

One would think that the only people in the Province of Ontario who had any concern at all for the children of this province were those who are firmly ensconced on the benches of the government. One would get the impression that only the Minister of Education and the Premier care about the kids.

I want to tell you, sir, there are many, many other people in the Province of Ontario, equally if not more committed to the welfare of children. I want to tell you, Mr. Speaker, that numbered among them are the teachers of the province. The teachers of the province are teachers because they are committed to the education and well-being of the children of this province.

The teachers of this province have put up with intolerable situations over the course of the last decade because they were committed to the education and well-being of the children of this province. The teachers go into teaching, not because it's a lucrative position, but because they have a concern and an understanding and a fear for the well-being and the education of the children of this province. I want to say to the Minister of Education that this nonsense that he spouts out about his only concern being the welfare of children is just that, nonsense.

Mr. S. Lewis (Scarborough West): And everybody now knows it.

Mr. Deans: He has attempted, in a calculated and cold way, to turn the people of this province against the teachers in spite of a record of excellence which is unparalleled anywhere in the world.

Mr. Lewis: Did the minister hear the central chant about him on the steps of the Legislature? "We don't trust you." That was the central chant; and that's because of the way he has toyed with the teachers.

Mr. J. F. Foulds (Port Arthur): One out of every three teachers in the province was there.

Mr. Lewis: That's why. He is the Minister of Education and his teachers chant that phrase.

Hon. Mr. Wells: I can tell the member one thing.

Mr. Lewis: There are 6,000 in Ottawa and 1,500 in Hamilton. He is finished as Minister of Education.

Hon. Mr. Wells: The people said: "We don't trust Stephen Lewis."

Mr. Lewis: That may be, but with much less provocation.

Hon. Mr. Wells: Remember that.

Mr. Speaker: Order, please.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Even in his own riding.

Mr. Lewis: I don't think so.

Hon. Mr. Winkler: Oh, yes.

Mr. Lewis: It just used to be. It is better now. My majority would go up 15 or 20 per cent right now. I don't feel as threatened as I did in 1971. The minister is going to have apoplexy. Relax.

Mr. Deans: Mr. Speaker, the minister stands and the Premier stands from day to day and they attempt to twist the truth.

Mr. E. W. Martel (Sudbury East): The mob is getting to the minister. Watch the mob.

Hon. Mr. Grossman: Does the member consider them a mob? Did he call them a mob?

Mr. Martel: They are going to get him.

Hon. Mr. Winkler: Better go back home, "Gomer."

Mr. Speaker: Order.

Mr. Martel: All the minister's money won't do that.

Mr. Deans: The minister stands, Mr. Speaker, from day to day, and he professes his concern for the kids in the Province of Ontario. I stood with him outside the door and listened to him talking about his concern.

Interjection by an hon. member.

Mr. Deans: Will the member for Sudbury East please let me continue!

Hon. Mr. Winkler: Just be quiet.

Mr. Reid: He is interrupting the flow.

Interjections by hon. members.

An hon. member: Cool it, Elie!

Mr. Speaker: Order, the hon. member for Wentworth will please proceed.

Mr. Deans: Thank you. The minister stood in his place regularly over the last two weeks and continually pointed out his concern for keeping the schools open. How can the minister legitimately express a concern for keeping schools open when he knows full well that the problem in the collective bargaining process is directly his responsibility, that the reason why settlements have not been reached in the majority of those disputes still outstanding is that his ceilings, imposed by him, have stood in the way of the resolution of the disputes to a satisfactory level?

How can the minister stand and say that the teachers of the Province of Ontario are not as concerned as he is about children? I, for one, believe, when I send my children to school, that they are in the most capable hands they could be in. I believe that the commitment of the teachers of the Province of Ontario is sufficient proof for me to place what I consider to be a very special part of me within the school system, and under their care. And when I think about the future of the Province of Ontario in terms of its economic and social development, I believe that the children in the system today are getting the kind of guidance and education that they will require in order that they can live and develop and provide a better society in years to come.

Hon. Mr. Wells: That's exactly what I say.

Mr. Deans: Now, I also believe that is the direct result of committed teachers. And what I say to the minister is this: How can it be that I can place so much faith in those teachers and their day-to-day dealings with the kids of the Province of Ontario, and yet I cannot place faith in them to bargain collectively?

Mr. Lewis: That's right.

Mr. Deans: How is it? How does the minister answer?

Mr. Laughren: He can't.

Mr. MacDonald: Tory paternalism.

Mr. Deans: How can the minister say to me that these people are capable, able—

Hon. Mr. Wells: They can bargain collectively.

Mr. Deans: —and to be admired, and yet he doesn't think they are able to sit down at the bargaining table and resolve their differences in a sensible and sensitive way?

Mr. W. Hodgson (York North). Most of them did.

Mr. Deans: We have arrived where we are, because the whole farce of talking about the problems of the children of the Province of Ontario centres on the truth of the government's position: The government is bound and determined to use the kids of the Province of Ontario to keep the teachers down.

The way it is being done is through this bill, through the bill which stands on the order paper, through the imposition of ceilings, and in some instances, through recalcitrant boards, to make conditions intolerable so the children of the province will not get the kind of education they desire and need, and the parents' annoyance will be taken out on the teacher rather than on the Minister of Education or on the local board.

I suggest to the minister that what he has successfully done is, he has shown the people of the Province of Ontario his inability to deal with the problems. He has shown his

inability to meet the very sensitive situation head on, to come together with the people who are in dispute and to resolve it.

It is not good enough for the minister to tell me that he has been meeting them during the last two or three days, because the last two or three days was a number of weeks too late. And the meetings that are currently going on between the Premier and the teachers' organizations, and between the Minister of Education and the teachers' organizations, should have been taking place in the months of October and November in an effort to find out what the problems were and how the problems could better be resolved.

I am also aggravated by positions that are put forward by Tory back-benchers and by Liberal members. No one is forced into the trade union movement.

Mr. Lewis: That's right.

Mr. Deans: If teachers choose to find an alliance with other people in the trade union movement, we would be the last people to stand in their way. But by the same token we recognize that may not be their desire; and if it isn't, then whatever path they choose to follow in order to achieve some form of economic return and some say in the way in which education shall progress in the Province of Ontario will be done with our blessing.

There is nothing sinister about the support the trade union movement has given to the teachers of the Province of Ontario. Because inevitably, when this government moves to oppress people, the trade union movement stands up solidly behind those who are being oppressed. That is what has occurred in this situation and that is what has occurred over the years.

Mr. Speaker, arbitration is a useful tool. Arbitration falls into two categories: it can be voluntary or it can be involuntary. Compulsory arbitration is a crisis tool and can only be used in an emergency. Compulsory arbitration should only be imposed, if at all, in the essential services of the Province of Ontario. And I say to the government that the teaching profession, in spite of its importance, is not an essential service within the meaning of the word.

It is inconvenient not to have teachers at work. It is disruptive not to have teachers at work. It is a nuisance to some parents not to have teachers at work. But if the children of the province were to miss a week of school, it would not appreciably alter their educational standing.

If the children of the province were even to miss two weeks of school, it would not appreciably alter their educational standing.

Mr. Lewis: That is right.

Mr. A. K. Meen (York East): Where does the member draw the line?

Mr. MacDonald: Not at zero anyway.

Mr. Deans: And the reason I say it is because many of us who lived in Great Britain during the war missed many weeks of school. And many of the members of this House have missed many weeks of school.

Mr. Lewis: It shows.

Mr. Deans: And many of the people in the professions, in the teaching profession itself, have missed many weeks of school. And it hasn't inhibited their ability to absorb what was necessary in order for them to contribute to this society.

To try to classify teaching as an essential service is wrong. It is inconvenient. It is an important—perhaps the single most important calling that there is—

Hon. Mr. Grossman: We think it is an essential service; so there.

Mr. Deans: It is perhaps the single most important calling available to people.

Hon. Mr. Grossman: We think it is an essential service; one of the most essential services.

Mr. Deans: But nevertheless it does not fall into the category of being an essential service.

If you want to talk about degrees of inconvenience, then of course it is inconvenient when teachers don't go to school—particularly for those who have children. Of course it is inconvenient. But it is equally inconvenient when city hall employees don't go to work. It is equally inconvenient when transit employees don't go to work. It is equally inconvenient—even more inconvenient—when railway workers don't go to work. It is extremely inconvenient, and economically damaging, when steel workers are on strike. And the same can be said for auto workers. The same can be said for most walks of life.

There are a number of vocations and professions which create a degree of inconvenience to society equal to that created by any teacher walkout. It is inconvenient—but it is not an essential service within the meaning of the word, as one would apply compulsory arbitration to it.

When doctors decide they are not going to see another patient, there is no mandatory law which says they must. When politicians decide they are not going to see a constituent, there is no mandatory law that they must. When some politicians decide even to take a vacation in the middle of the session, there is no mandatory law that they must return.

There is, of course, always the possibility that they will not be re-elected. But the fact of the matter is that this same possibility prevails with the teachers of the province if they were to abuse the privilege; the privilege of being able to withhold their services if and when they felt that was the only measure available to them.

When the government talks about the imposition of compulsory arbitration, one might get the impression there was a dire threat in the Province of Ontario of a mass walkout which would disrupt the entire school system for ever. One would get the impression that the teachers of the Province of Ontario are unresponsive and not committed to their profession.

The fact of the matter is that the letter written by Mr. G. P. Wilkinson, the president of the OTF on behalf of his groups, set out so very clearly the farcical situation the government is attempting to meet. He said:

> The teachers of Ontario have, since 1944 when the Teaching Profession Act was established, negotiated thousands of collective agreements with school boards. And all that time schools have been closed by disputes in only three communities; for 17 days in one, for three days in another, and for two days in yet another community: Schools have been kept open without government intervention.

I ask the minister to tell me: Are those children in that school which was closed for 17 days to be forever educationally deprived? Is that what the minister is telling me? Does he maintain that because those teachers had a dispute which couldn't be resolved and the school was closed for 17 days, the children of that educational institution are being deprived for the remainder of their lives? That's nonsense!

He goes on to say:

> The interim bill will not maintain peace in the school system, as its authors say it's intended to do. It provoked outrage and dismay before it reached second reading. If it's passed and proclaimed, it's already clear that it will create far more disturbance than it resolves. Reason requires that it be withdrawn.

Reason does require that it be withdrawn. The unfortunate part is that on this day in this province reason doesn't seem to matter any more.

I want to tell the minister something about the process just for a moment, because I doubt very much if he really understands it. Strikes normally don't come about because of wage demands. Strikes are inevitably the result of pent-up and built-up frustrations over working conditions. That's true in the plant; that's true in the business office; and that is equally true in the teaching profession.

While wages may well prove to be one of the major points of confrontation, the attitude of the people involved is generally one of frustration over an inability to deal directly and forthrightly with the working conditions they're forced to operate within. One cannot arbitrate grievances on working conditions satisfactorily. One may come down with a decision and the decision may be binding, but unless the parties themselves have agreed to resolve the difference that decision will not resolve it alone and it will continue to fester.

It is absolutely essential that free collective bargaining on all matters pertaining to the classroom and pertaining to the working conditions of teachers be permitted. It is even more essential on those very few occasions when no resolution can be found at the collective bargaining table that whatever action is deemed appropriate by the parties be permitted. That means they could, if they wished, opt for voluntary arbitration, which in its ultimate would be compulsory; or they could, if they wished, agree to withhold their services.

I say to the minister that it has never been abused. It is not likely to be abused and if he proceeds with this bill he is going to create in the Province of Ontario an intolerable situation which will ultimately result in a great deal more unrest and upset within the educational system than we have ever seen before. It is important that he understand that, if only so that some day, when he looks back, he'll understand that somebody tried to warn him and he was so dogmatic that he couldn't understand.

The hon. minister interjected a moment or two ago and attempted to indicate that he, too, spoke of teachers with understanding; and he, too, spoke of teachers with concern.

Hon. Mr. Wells: That's right. That's absolutely right.

Mr. Deans: He appreciates the efforts they put out. I can't help thinking that can't be so, because it's evident from the conversations which have come back from the boards and the teacher representatives that to a great extent, in the areas still in dispute the ceilings have been a major contributing factor to the dispute's longevity.

Mr. Lawlor: Everybody says that.

Mr. Deans: It is evident. When one looks at—

Hon. Mr. Wells: This doesn't relate to that.

Mr. Deans: Wait a minute, I'm coming to it. I said it has been a major problem because—

Hon. W. G. Davis (Premier): He is being quite contradictory again.

Mr. Deans: No. The Premier doesn't seem to understand. The ceilings not only affect wages, they affect the quality of education in the classroom, the classroom size, the availability of learning materials, they affect a great many other things. I'm surprised to have to give the Premier, of all people, a lesson in what the ceilings have done!

Mr. Lewis: He never had any ceilings. He never imposed ceilings on anything in his life! He gave it to the poor minister to do for him!

Hon. Davis: I think if the member will check carefully he will find I started the ceilings.

Mr. Lewis: Did he, did he, did he?

An hon. member: Wrong again.

Mr. Lewis: I think on ascendance day, as a legacy to his successor perhaps.

An hon. member: Well, we'll check it very carefully.

Mr. Renwick: To be made public under someone else.

Interjections by hon. members.

Mr. Lewis: A little throw-away.

Mr. Foulds: Was the Premier the Minister of Education in 1969?

Hon. Mr. Davis: Was I?

Mr. Foulds: Yes.

Hon. Mr. Davis: I was.

Mr. Foulds: In 1969, eh?

Hon. Mr. Davis: Yes.

Mr. Foulds: Oh.

Hon. Mr. Davis: Tell the leader of the NDP.

Mr. Foulds: Oh, then the villain is the Premier.

Mr. Lewis: The villain has always been the Premier. It's the extent of his villainy in any given year that is under discussion.

Hon. Mr. Davis: Just check it carefully.

Mr. Lewis: Okay. I'll do that.

Mr. Foulds: It sure is a bad cause.

Hon. Mr. Davis: I think the members will find that I'm right.

Mr. Foulds: Who tarred the pole?

Hon. Mr. Davis: My memory is short.

Mr. Deans: Mr. Speaker, one might reasonably expect that people with such responsibility, held in such high esteem, filling such a very professional position in society, would be remunerated accordingly. One might expect that teachers would fall into the category of being in the upper levels in terms of earnings in the Province of Ontario, and yet a quick look at some of the cities in the Province of Ontario would indicate that the reverse is in fact the case.

I want to compare teachers' salaries on an index basis with the industrial composite just to show what it's like to be a teacher as far as remuneration is concerned. In Chatham, the average teacher's salary is an index of 147.6, the industrial composite is 176.9; in North Bay, the average teacher is 144.7, the the industrial composite 152.7; in Oshawa, a place where the dispute is in fact going on at the moment, or an arena in which the dispute is going on—

Mr. C. E. McIlveen (Oshawa): That is all solved, that is.

Interjections by hon. members.

Mr. Deans: We have the teachers at 145.3, the industrial composite at 212.1; in Ottawa where the dispute is going on, teachers at 146.4, the industrial composite at 158.7; in Sault Ste. Marie, teachers at 155.4, the industrial composite at 178.4; in Timmins, teachers at 129.4, the industrial composite at 148.9; in Thunder Bay, teachers 149.1, the industrial composite 152.1; in Windsor, teachers 148.2, the industrial composite, 181.2. And

if you would like, Mr. Speaker, I can go through the rest.

This is a profession in which people are supposed to be treated with respect; it is a profession which, as I said before, is one of the highest professions available to people; and yet the salaries reflect that they are being treated like second-class citizens. Then on top of that the government imposed the ceilings in order to ensure that the differences which I have mentioned, and which go on through almost every single municipality in the Province of Ontario, are maintained.

The government imposed ceilings and tells arbitrators that they must settle disputes within those ceilings, and the ceilings themselves, if the maximum amount were to be given, wouldn't bring any single one of the teacher averages up to the average of the industrial composite within the municipality in which they must live and teach. What kind of respect is that for the teachers of the Province of Ontario?

Of course, the teachers have been getting increases. The average increase in the province runs between 4 and 4½ per cent. The cost of living increased 8.5 per cent from October, 1972, to October, 1973. The teachers are asking, on an average, for an eight per cent to nine per cent increase, barely enough to keep them abreast with the cost of living increase. The average collective bargaining settlement in the third quarter of 1973 was 9.8 per cent; and yet teachers, within the ceilings in the boards that I talk about, already economically deprived are getting an average increase of four to 4½ per cent.

The average salary in the women teachers' federation and among the Ontario separate school teachers ranges about $8,000, not even enough to qualify under NHA standards and Central Mortgage and Housing.

Teachers, we compare to other people in society—even with those with whom you would classify them, and I defy the classification as being correct—but teachers, when compared to policemen or firefighters, after three years of teaching, a teacher with a three-year university education and a further year at the College of Education, would have an average of $8,528 in the Province of Ontario. For a first-class constable in the province, the average is $12,295; for a first-class firefighter, $12,124. And yet the government would impose ceilings and would demand that the arbitrator make his award within the terms of the ceilings, ceilings which wouldn't even begin to raise those salaries to a level which would reflect their need, let alone reflect their status in society.

I want to tell you further, bearing in mind the salary level for third-year teachers, of which I spoke, at $8,528, it's interesting that accountants have an average of $20,719; doctors and surgeons have an average of $42,046; dentists have an average of $27,913; lawyers and notaries, an average of $31,824; consulting engineers and architects, an average of $21,988; for other professionals the average ranges at $10,931. The teacher doesn't even meet the average of the other professionals, and yet the government would impose ceilings and demand that the arbitrator, sitting on the board, would make his award within the ceilings imposed by the Ministry of Education.

Then one asks, why is it the teachers are massed 35,000 strong in front of the legislative building? Why is it that they finally cracked under the strain of trying to live within the restrictions imposed by the Ministry of Education?

The facts are clear. Teachers have been relegated to a status of second-class citizens. It's the intention of the government to continue the status through the invoking of compulsory arbitration and ceilings. It is not the intention of the government to ensure that teachers are given the kind of financial reward and symbolic status that they deserve. It is, in fact, the intention of the government to maintain what has become an intolerable situation within this province.

It's interesting to look at the responsibility of teachers; just what kinds of responsibilities they have. I quote to the minister from his own volumes: Ontario's Educative Society, vol. 3, Schools, Pupils and Teachers. And it says on page 425, on the role and status of teachers:

> It is the duty of a teacher
>
> (a) to teach diligently and faithfully the subjects in the course study as prescribed by the regulations;
>
> (b) to encourage the pupils in the pursuit of learning;
>
> (c) to inculcate by precept and example respect for religion and the principles of Christian morality and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality [and boy, they know something about that], purity, temperance and all other virtues;
>
> (d) to maintain proper order and discipline in his classroom and, while on duty,

in the school and on the playground under the direction of the principal;

(e) in instruction and all communications with the pupils in regard to discipline and the management of the school, (i) to use the English language, except where it is impractical to do so by reason of the pupil not understanding English, and except in respect of instruction in a language other than English when such other language is being taught as one of the subjects in the course of study, or (ii) to use the French language in schools or classes in which French is the language of instruction except where it is impractical to do so by reason of the pupil not understanding French, and except in respect of instruction in a language other than French when such language is being taught as one of the subjects in the course of study;

(f) to see that the classroom is ready for the reception of pupils at least 15 minutes before the time of opening in the morning and five minutes before the time of opening in the afternoon;

(h) to conduct his class in accordance with a timetable which shall be accessible to pupils, principal and inspector;

(i) to attend regularly the teachers' institutes of the inspectorate;

(j) to notify the board and the inspector of his absence from school and the reason therefor [assuming he can now be absent];

(k) to deliver the register, the schoolhouse key and other school property in his possession to the board on demand, or when his agreement with the board has expired, or when for any reason his engagement has ceased.

Of course, we haven't got that provision any more.

Hon. Mr. Wells: That has been amended.

Mr. Deans: It has been amended; I understand it has been amended. But where else in the professions are the duties set out thusly?

This is the duty of a professional. These are the duties of people who are to be held in the highest esteem. These are the duties of the people who are charged with the responsibility of providing the education for future generations. And these duties, for some reason or other, don't seem to grant, in addition, the powers to sit down and resolve differences across the bargaining table.

What about the quality of education; the quality of teachers? It says under the section dealing with the problem of quality:

A child's best guarantee of a good education is an inspiring teacher, a vigorous, informed, friendly person who likes children, who is able to establish a cheerful, social, permissive climate for learning, and who maintains creative and democratic relationships.

How, pray tell, does the government expect the teachers of the Province of Ontario to be able to teach along these lines, to create a permissive climate for learning and to maintain a creative and democratic relationship in the face of this anti-democratic legislation which the government has brought forward?

Mr. Lewis: That is unanswerable.

Mr. Deans: Or the teacher responsibilities, in the same section:

The quality of education is directly and chiefly dependent on the effective utilization of teacher resources; resources of knowledge, skills, understanding and sympathy.

How can the government come to the conclusion that people who are unable to earn a decent salary because of the government's restrictive ceilings and who have their rights taken away from them by the government's restrictive legislation could possibly carry out that kind of a commitment? Or how about the modern curriculum when they talk of the problems? It says:

The modern curriculum places its focus on the child. It respects his interests, his dignity, his individuality, and grants him freedom, understanding and acceptance.

Where is the teacher who is going to be able to do thise things in the face of the restrictive legislation that the government has brought forward? Where is the board that is going to be able to provide the educational needs of both teachers and the salaries that they require within the ceilings which the government has imposed? And where is the board or the teacher who is going to feel like living up to these obligations, recognizing the repressive nature and the anti-teacher feeling which this minister has attempted to whip up in the face of his own personal problems?

I say to the minister that in dealing with teachers he cannot, he must not, attempt to impose this restriction upon them; he doesn't have the right. They have done nothing in this province to justify the action the government is taking.

There has never been in the Province of Ontario an indication of a teacher who, or a

teacher organization which has not acted in good faith; who has not taught to the best of his or her ability; and who has, or which has, in any way violated any of the principles set out. Yet at this point in this legislation he would take it upon himself as the Minister of Education to deny them the fundamental rights which they had until the end of November; which they exercised in good faith and which they intended to follow through with only when and if it was obvious that no other course of action could resolve their differences.

Yet this ministry as pursued—vigorously, I might add—this attempt to relegate teachers to a position far below that which they deserve and should have.

When the corporate sector wants to raise its prices, it does it. When we ask the minister if he would consider a review board, he refuses.

When landlords want to raise their rents, they do it. When we ask the minister to establish a review board, he refuses.

Yet, when teachers simply want to raise themselves up to a professional level, both in remuneration and in working conditions, the minister moves in with a heavy hand and imposes upon them restrictions which make that movement virtually impossible.

This government is very selective about with whom it deals in a hard-handed way. This government chooses its victims very carefully and this government in a calculated way attempts to separate different segments of society, one from the other, and to pit them at each other's throats. That's exactly what the minister is doing in this situation. He is attempting to lower the status of the teacher in the Province of Ontario in the eyes of the parents and he, the Minister of Education, has single-handedly taken the most decisive step toward the destruction of the educational process of any single individual in the Province of Ontario.

He has attempted, by the imposition of this legislation, by the ceilings and by his attitude to bring about a confrontation between teachers and parents, the likes of which has never been seen in this country and the likes of which will never be seen again. He has done so in a calculated attempt to recoup himself from political wilderness.

I say he has no right to impose these kinds of restrictive measures. As the Minister of Education, he had a responsibility and that responsibility was to maintain trust, to maintain good faith with teachers and with boards. His responsibility was, in whatever way he could, to provide satisfactory solutions to problems which were extremely vexing in some boards. Yet he chose to sit back and allow the situations to develop to the point where they were almost at the point of no return.

Then he walked in and decried the efforts of teachers. He appealed on behalf of kids. He used the basest of arguments against them and he now expects to be able to carry on as the Minister of Education. He has lost the confidence of all the teachers in the Province of Ontario but beyond that, by one single action, he has destroyed not only the confidence of the teachers in the ministry but he has destroyed the confidence of the teachers in the government. And that's much more important.

But the minister is not going to succeed in pitting teacher against parent, because I believe that the parents of this province have a deep respect for both the ability and dedication of the teachers of this province. I believe, when the smoke is cleared and all of the nonsense that the minister has been spewing out has gone by the way, the parents of this province will stand behind the teachers of this province, because I believe that they will find out the truth, and the truth eventually always comes forward.

I know from the parents I've spoken to that they believe at this particular point that the teacher who is teaching their child is doing a good job and is working in a dedicated manner. By his actions over the last week the minister has attempted to destroy the relationship between those people by using the children as pawns. He has attempted to use the children as pawns.

Mr. W. Ferrier (Cochrane South): Actions speak louder than words.

Mr. Deans: Let me read to the minister from a letter written to a colleague of mine. I think it says better than I could what has to be said at this point. It was written to the member for Sandwich-Riverside (Mr. Burr) on Dec. 10. It says:

Dear Mr. Burr:

> Just moments ago I heard about the proposed legislation regarding the forcing of teachers to return to work in January, and I was appalled. In the two and a half years I have been a teacher, over this period of time I have worked a minimum of 60 hours per week, and many more in the earlier years. A few days each holiday, Christmas and the spring break are spent on school work. One week of summer vaca-

tion is also spent on the job. For the past three summers I've attended a farcical series of education courses as demanded by law. Each year I've spent $1,000 or more on professional development, none of this tax deductible.

I work under conditions which no union employee would tolerate for 10 seconds. Over these two and a half years my job has received only a $300 salary increase and about $100 in fringe benefit increase.

My employer has the right to dismiss any one of its employees and to distribute the workload of that teacher among the others. We have the right to leave our job only twice a year and under circumstances which make mobility from job to job virtually impossible, since most positions are advertised after the last date for resigning. Up until now we've been the eunuchs of the labour force, neither professional nor union. We have only one reputable thing we can do and that is to resign, and now Mr. Wells is trying to take this last right from me.

It was degrading for me to have to beg food from relatives during my first year of teaching, and this after almost six years of university education. It was again degrading for the last two years while the janitor who cleans up after me in the evening had a higher gross salary than I had, and, at least in the first year, only half the number of hours.

Only for the last three months has my gross salary exceeded his, but I still work 60 hours a week. But, Mr. Burr, I have never felt so degraded as tonight when I heard Mr. Wells speak of his proposed legislation.

A former PC supporter.

P.S. Teachers are people too.

That expresses the conviction of a great many teachers in the Province of Ontario. There are far too many teachers who perhaps should have been saying these things in years gone by and who didn't. That omission is one which I think we all understand. But they are saying it now to the minister and they are saying it loud and clear. They are saying that if the Minister of Education doesn't understand the educational process well enough, then let him please leave it and give it to someone who does understand.

Or if the minister does understand it and is still prepared to proceed with the legislation which he is proceeding with tonight, then let him please leave it and give someone else a chance to talk to the teachers of the Province of Ontario to see if some compromise can't be worked out.

There are volumes of evidence available to every member of the House with regard to the position the teachers have taken. There is not a member who hasn't received a great many telegrams—

Hon. Mr. Wells: Pro and con.

Mr. Lewis: Pro what?

Mr. Deans: —each one saying basically the same thing, although in different words: "We don't like the legislation. We don't think it should pass. We ask you to please withdraw it."

Mr. Foulds: Of the 620 I have received, one was against the teachers.

Mr. Lewis: The minister has made a terrible miscalculation. Sure he has. He overdid it. He has really overdone it.

Mr. Deans: Mr. Speaker, I want to make one more point, a point I feel has to be made because it has been raised by a number of people. It's a point raised by my colleague from Hamilton Mountain (Mr. J. R. Smith). He is quoted as having said, "Teachers throughout history have been distinct from other walks of life and they should not be put on an equal footing with industrial workers."

I want to say that the majority of teachers in the Province of Ontario are in fact the children of industrial workers. They became teachers on the sweat of industrial workers. They themselves may well have been industrial workers. And the likelihood is that many of their children will be industrial workers.

There is no shame in being equated with an industrial worker in the Province of Ontario. I resent the inferences of the member for Hamilton Mountain. In fact, in the words of Tennessee Williams, whom I rarely ever listen to or read—or hear, for that matter, or watch—"We live in a world made up of common people." It's about time that this minister and the Conservative Party understood that and stopped this elitist claptrap and started to deal honestly and sensibly with the problems that confront the people of the Province of Ontario.

This legislation cannot proceed. It must die on the order paper. There is no other way. If it proceeds, it will precipitate the single greatest eruption in the educational system. In fact, the passage of the bill through first reading has precipitated a far greater eruption than any other single thing in the

educational system in the history of the province.

The teachers are asking the minister, as they have asked him on many occasions, not to proceed with the legislation. I am asking him, for reasons which I share with them and for reasons which are different, not to proceed with the legislation. I am suggesting to the minister that in the month of January, the strikes would be resolved, if there were any; the problems we now see in the 16 boards would have diminished almost to a point where they would not be seen; and in fact the free collective bargaining process, which is so necessary for the orderly resolution of disputes between employer and employee, would remain intact.

I say to the minister that if he chooses to proceed with this legislation through to its ultimate conclusion, if he chooses to violate the civil rights of those teachers by dealing retroactively with their right to resign and by imposing his will upon them, he will find that the classroom will not be the kind of place best suited for the best possible education, because in spite of the best efforts of the teachers—and I know they will give them —persons who are dissatisfied or unhappy don't do their best work, and we desperately need the teachers to do their best work.

Therefore I would move an amendment to the motion for second reading.

Mr. Deans moves, seconded by Mr. Lewis, that the motion for second reading of Bill 274, An Act to amend the Ministry of Education Act, be amended by deleting all the words after "that" and substituting the following words:

> This bill be not now read a second time but be referred back to the government in order that it may consider bringing back a bill with changes which reflect the rights of teachers in the Province of Ontario to:
>
> 1. Withhold services during collective bargaining;
>
> 2. Resign without risk of reprisal;
>
> 3. Advance economically and professionally through collective bargaining;
>
> 4. Negotiate all matters which affect conditions of employment;
>
> And which makes clear that the financial ceilings established by the government should not act to maintain inadequate levels of remuneration.

Mr. Speaker: Can the hon. minister now sum up? I recognize the hon. member for Carleton.

Mr. Handleman: Mr. Speaker, I don't believe I earned that round of applause any more than the hon. Leader of the Opposition earned his earlier in the day before he said a word. I hope that after I've said my piece perhaps there will be some applause.

Mr. Lewis: From the member's colleagues.

Mr. Handleman: I've been reluctant to enter into this debate for a number of reasons. First of all, while it went completely unnoticed, I was not one of those who pounded my desk when the minister introduced the bill. We in Carleton are pretty slow to come to conclusions on controversial matters; one might even say we are conservative in our thinking.

It took me almost a week. I examined all the alternatives and I admit the parochialism, but in Carleton there were two boards ready to close every elementary school in the constituency, affecting some 60,000 children. One of the disputes has been mediated. The other was so far from settlement that there was no possibility of settlement.

I simply can't accept what the hon. member for Wentworth has said, that if we had let this go there would have been settlements. There was no settlement in sight at all. I have come reluctantly to the conclusion that this bill is the only way we can pay our rights to those children to make sure they have their right, which is the right to an education over the school year and not to have it interrupted by extraneous matters.

Mr. M. Cassidy (Ottawa Centre): That is nonsense. The other techniques weren't even tried and the member knows it.

Mr. Handleman: Every technique has been tried.

Mr. P. J. Yakabuski (Renfrew South): The member for Ottawa Centre should shut up.

Mr. Handleman: Mr. Speaker, unlike some of the hon. members I don't believe that repetition strengthens one's cause at all. I am going to stay away from the arguments which have been made previously by my colleagues from Don Mills (Mr. Timbrell) and Hamilton Mountain, both of whom spoke as members of the teaching profession. But I cannot sit silently by while the provisions of Bill 274 and the motives of the minister are distorted by opposition speaker after opposition speaker. That distortions are being swallowed without hesitation by many of

the teachers in my constituency is reflected in the mail and the telegrams which I have received.

Mr. Cassidy: Oh, oh. That is how the member explains it.

Mr. Lewis: What does he mean "swallow"? They don't have powers of analysis or judgement?

Mr. Speaker: Order. Order please.

Mr. Handleman: I am beginning to doubt. I am beginning to doubt.

Mr. Lewis: The member is beginning to doubt?

Mr. Cassidy: I'll be sending this speech out to every teacher in Carleton.

Mr. Handleman: It saddens me, Mr. Speaker, that the teachers of Carleton have evidently been persuaded that Bill 274 somehow infringes on their civil rights, their freedom to resign—

Mr. Foulds: I wonder how that happened?

Mr. Handleman: —and their right to bargain collectively, which they have been exercising all along. In many cases it is evident to me that they have neither read the bill nor have they been able to understand it from the explanations they received.

Mr. Lawlor: Oh, really.

Mr. Lewis: The member is an insulting fellow.

Mr. Handleman: In fact, they were misled—

Mr. Lewis: Misled?

Mr. O. F. Villeneuve (Glengarry): By the member for Scarborough West.

Mr. Lewis: By me?

Hon. Mr. Kerr: The member for Scarborough West is one of them.

Mr. Handleman: —yes, misled into believing that the minister and the government have been malicious in introducing this legislation.

Interjections by hon. members.

Mr. Handleman: Mr. Speaker, what are the facts? Let's forget the allegations. What are the facts in this bill? The main principle of the legislation is to keep the schools from being closed because of a stalemate.

Mr. Lewis: No, no.

Mr. Cassidy: Well, it has failed.

Interjections by hon. members.

Mr. Lewis: On a point of order, Mr. Speaker, the Tories are acting like a mob.

Mr. Handleman: We will see who has failed.

Mr. Speaker: Order, please.

An hon. member: Sit down.

Interjections by hon. members.

Mr. Speaker: That is not a point of order.

Mr. Foulds: Mr. Speaker, they are trying to intimidate the hecklers.

Mr. Cassidy: They can't victimize—

Mr. Speaker: Order, please. I would remind our guests in the gallery again, who may have just come in, that no demonstration whatever is allowed from the galleries. Thank you.

Mr. Foulds: They can chuckle though, Mr. Speaker.

Mr. Cassidy: The government is using the opposition like pawns.

Mr. Handleman: Mr. Speaker, the bill applies to only 16 boards—not 16 locales—in Ontario.

Mr. Cassidy: No. It prejudges Bill 275.

Mr. Villeneuve: Will the member dry up?

Mr. Handleman: We are talking about Bill 274.

Mr. Speaker: Order, please. The hon. member for Carleton has the floor.

Mr. Handleman: I heard the hon. member for Ottawa Centre this morning spend almost two hours discussing the principle of Bill 275, and I think it is time to resume the debate on Bill 274. That is what we are talking about.

Mr. Foulds: Would the member please speak to the bill?

Mr. Handleman: Only 16 localities in this province, Mr. Speaker, are affected.

Mr. Lewis: Didn't he read the bill? There are 17.

Mr. Speaker: Order.

Mr. Handleman: I've read the bill. I have examined it. I have analysed it.

In those 16 localities, Mr. Speaker, free collective bargaining has been going on. It has been going on for months. It has been going on in Carleton for two years.

Interjections by hon. members.

Mr. Handleman: No teacher's individual right to resign is violated. The minister has made this clear over and over again.

Interjection by an hon. member.

Mr. Handleman: Yet of the letters I have received, most of them—and I don't blame them, Mr. Speaker—are troubled by the fact they believe their right to change jobs is being violated.

Mr. Lewis: It sure is.

Mr. Cassidy: They are being forced to work by this government.

Mr. Lewis: Wait until we get to the clause by clause.

Mr. H. C. Parrott (Oxford): Why doesn't the member be quiet and shut up?

Mr. Handleman: Mr. Speaker, this is not a permanent bill; it is an interim bill. It has a death date written right into it.

Mr. Lewis: Death date? That's a nice phrase.

Mr. Cassidy: The next election.

Mr. Handleman: Yes, there is no danger of this bill becoming permanent.

Mr. Lewis: An obituary notice.

Mr. Handleman: It is written right into the bill.

Mr. Ruston: An obituary notice for the government.

Mr. Handleman: The bill applies only to those 16 localities and will become void when it expires. Free collective bargaining is continuing. It is continuing right now, except in those cases where bargaining has broken off.

Interjection by an hon. member.

Mr. Handleman: That is in the case of Carleton. It broke off two days ago.

An hon. member: Too bad his tongue didn't break off.

Mr. Lewis: If the government raised the ceilings it would be resumed tomorrow.

Mr. Handleman: Okay.

Mr. A. Carruthers (Durham): He listened to the other speakers. Listen to him.

Mr. Lewis: I am listening.

Mr. Cassidy: If the Tories brought in good legislation we would.

Mr. L. Maeck (Parry Sound): Sit and be quiet for a while.

Mr. Handleman: I don't want to discuss Bill 275.

Mr. Speaker: Order, please. I would like to hear the hon. member for Carleton.

Mr. Cassidy: Why not let the schools close?

Mr. Handleman: Mr. Speaker, it would have been so much easier from a political expediency point of view. The member for St. George said she is never politically expedient. I confess there are times when I am very tempted to be. I would have been tempted, from the point of view of political expediency, to let the schools close in Carleton, have 60,000 children at home and have all the parents on our backs to make the schools open again.

Mr. Lawlor: The member is much too much of a Tory to do that.

Mr. Handleman: That would have been too easy.

Mr. Lewis: He acted out of high principle.

Mr. F. Drea (Scarborough Centre): Just like the Liberals in Ottawa with the rail strike.

Mr. Handleman: Mr. Speaker, I have devoted a good part of my adult life to the cause of education in Carleton, not as a teacher.

Mr. Cassidy: Now he is devoting his adult life to destroying it.

Interjections by hon. members.

Mr. Handleman: But as a member, one of the other aspects of education which seems to go unheard of, unseen, unmentioned—except by our friends in the New Democratic Party who want to classify them as the bosses—is the board of trustees.

Mr. Cassidy: No, it is this government.

Mr. Handleman: Trustees are not interested in quality education. There is a

confrontation now between trustees and teachers.

Mr. Lewis: The Tories created it.

Mr. Handleman: A win-lose situation, a we-they situation; Mr. Speaker, I regret that. I don't think it is necessary.

Mr. Lewis: He is right.

Mr. Cassidy: Of course not.

Mr. Handleman: Darn tootin' it isn't. We have worked as a team for years and years in Carleton—

Mr. Cassidy: Of course.

Mr. Handleman: —to develop one of the best systems of education in Ontario and perhaps in the world.

Mr. Lewis: They just destroyed it this week, my friend.

Mr. Handleman: Over those years, Mr. Speaker, I have formed hundreds of friendships—

Mr. Cassidy: And then he came down to Toronto.

Mr. Lewis: Six thousand teachers marched on Parliament Hill in Ottawa today.

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. member for Carleton has the floor.

Mr. Handleman: I heard them. The polarization of political opinion, Mr. Speaker, is not this government's doing. We know that on this side of the House.

Mr. Lewis: Confrontation is what the Tories believe in.

Mr. Handleman: Confrontation is what the New Democratic Party thrives on.

Interjections by hon. members.

Mr. Handleman: I don't know what they would do without it.

Mr. Cassidy: The teachers wouldn't have got 50 teachers to Maple Leaf Gardens before this bill.

Mr. E. M. Havrot (Timiskaming): Will the member dry up and stop flapping his gums? Listen.

Mr. Handleman: Mr. Speaker, I think I can be forgiven some bitterness when I see what the irresponsible leadership of the opposition and in some of the teacher organizations can do to the relationships—

Mr. Lewis: On a point of order.

Mr. Handleman: Ha, the NDP leader didn't like that, eh?

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Cassidy: If the Tories believe the teachers' leadership was irresponsible after today—

Interjections by hon. members.

Mr. Cassidy: Let Hansard record the applause on that, too.

Mr. Speaker: Order, please. Do you have a point of order?

Mr. Lewis: What is the member so exercised about?

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): It's not a point of order.

Mr. Lewis: Who is he anyway? I'm not sure I've seen that member before.

Interjections by hon. members.

Mr. Lewis: Mr. Speaker, I rise on a point of order.

Interjections by hon. members.

Mr. Lewis: Fortunately, I am allowed a point of order—despite their numbers; so I'll put it. My point of order, Mr. Speaker, is that the hon. member for Carleton has gratuitously slurred a number of leaders of teacher organizations, whom he has called "irresponsible"; and I want it on the record. I want to know who he is talking about.

Mr. Speaker: That is certainly not a point of order.

Mr. Lewis: It certainly is a point.

Mr. Speaker: No point of order. No point of order.

An hon. member: Sit down.

Mr. Handleman: Mr. Speaker, if—

Mr. Cassidy: Name them.

Mr. Lewis: Name them. Come on, tell us who they are. I want to know who the member means when he talks about "irresponsible". Sure!

Mr. Handleman: I didn't mention the teachers.

Mr. Lewis: Oh, yes the member did.

Interjections by hon. members.

Mr. Handleman: No, I didn't. Mr. Speaker, on a point of order. Hansard will show that I mentioned the leadership of some of the teacher organizations.

Mr. Lewis: Name them.

Interjections by hon. members.

Mr. Speaker: Order. The hon. member for Carleton has the floor.

Mr. Lewis: Who is it? The OECTA?

An hon. member: All the pink ones.

Mr. Handleman: Now, don't anticipate everything I have to say. The leader of the NDP has spoken once on this bill. Okay?

Mr. Yakabuski: At great length.

Mr. Lewis: All right. There will be lots more opportunity; I agree.

Mr. Handleman: Everyone in this House, Mr. Speaker, has received two telegrams in which one of the teacher organizations denies any moral responsibility to obey the law. And that's what I have in mind when I mention "irresponsibility."

Mr. Lewis: To obey this law before it is passed.

Mr. Handleman: Nobody has to obey it before it is passed. If the government—

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Handleman: If we had taken the easy political route and allowed the schools to close in January, I have do doubt at all—

Mr. Cassidy: Look, will the member put on the record the name of the federations he was talking about?

An hon. member: The member for Ottawa Centre has spoken for two hours; let someone else speak.

Mr. Lewis: We had our maiden speech over here.

Interjections by hon. members.

Mr. Handleman: —Mr. Speaker, the Leader of the Opposition, aided and abetted by the hon. member for Ottawa East, because they spoke this way before, would have been proclaiming from the rooftops that the government had failed to exercise its responsibility to keep the schools open. And they would have been right, Mr. Speaker. They would have been right.

Mr. A. J. Roy (Ottawa East): Why didn't they negotiate before?

Mr. Handleman: We've been negotiating for two years. Come on out to Carleton. To allow the schools to close in Carleton in January—that would have meant every elementary school, as I mentioned before—would have been tragic. That would have been the height of irresponsibility.

Of course, the Legislature could have come back in January, and after the usual opposition from the New Democratic Party on the principle of compulsory arbitration—

Mr. Lewis: That's right.

Mr. Handleman: —and probably with the aid of the Liberal Party, we would have passed the legislation and we would have passed a back-to-work order.

Mr. Lewis: Don't be so sure.

Mr. Foulds: The government doesn't have to go this route.

An hon. member: This is slavery.

Interjections by hon. members.

An hon. member: Boy, the truth hurts; doesn't it?

Hon. Mr. Lawrence: The NDP leader's mouth never stops.

Mr. Lewis: Oh, boy, is the minister ever in a bitchy mood today.

Interjections by hon. members.

Mr. Handleman: That's terrible. Is that parliamentary, Mr. Speaker?

Mr. Speaker: Order, please.

Mr. Cassidy: Mr. Speaker, I can't hear the member.

Mr. Speaker: Neither can I.

Mr. Handleman: Mr. Speaker, if the members opposite had taken the trouble to look into the status of the negotiations in Carleton—

Mr. Lewis: We have.

Mr. Cassidy: We have.

Mr. Handleman: They have? Well, perhaps they wouldn't be so—

Mr. Cassidy: No contract last year because of the ceilings.

Mr. Speaker: Order, please.

Mr. B. Newman (Windsor-Walkerville): We had the courtesy to listen to the NDP for 10 hours. Now give us a chance to speak.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Lewis: The only courtesy I received was the member's answer.

Mr. Handleman: Mr. Speaker, since the members opposite have looked into the status of negotiations, I'm sure they know exactly what the teachers' federation in Carleton has been asking for. I'd like to read a telegram sent to me. A copy of a telegram was also sent to the Minister of Education from the Carleton teachers' federation; and this is exactly what they wanted:

THE EXECUTIVE OF THE TEACHERS' FEDERATION OF CARLETON OBJECTS TO THE COMPULSORY ARBITRATION PROVIDED FOR BY THE BILL YOU INTRODUCED IN THE LEGISLATIVE ASSEMBLY DEC. 10, 1973. WE FAVOUR ARBITRATION BETWEEN OURSELVES AND THE CARLETON BOARD OF EDUCATION—

Interjections by hon. members.

Mr. Cassidy: And the board wouldn't go to them. They refused.

Mr. Handleman: That's right, that's right. Listen.

Mr. Lewis: And why? Why wouldn't the board go?

Interjections by hon. members.

Mr. Handleman: Listen to it. "We favour arbitration."

Mr. Renwick: Yes, voluntary arbitration of the issues.

Mr. Speaker: Order. Order please.

Mr. Handleman: —AND WE HAVE UNSUCCESSFULLY URGED OUR BOARD TO AGREE TO ARBITRATION FOR OVER TWO YEARS.

Mr. Cassidy: For two years they have tried to get arbitration.

Mr. Handleman: Right.

IT IS UNFORTUNATE THAT THE SITUATION HAS—

Mr. Speaker: Order please, order.

Perhaps the hon. members in the New Democratic Party would try to control their interjections so that the member for Carleton could make his speech. There have been many, many speeches; many, many hours have been taken by members of the New Democratic Party and others, and I think it's only fair that those members of the government side who wish to participate in the debate should be granted that privilege. I would ask the hon. members of the New Democratic Party who have been interjecting continually if they would mind permitting this member to finish his speech.

Mr. Handleman: Thank you, Mr. Speaker. I just want to go on.

Mr. Renwick: Ask him not to be so provocative. Every speaker including the Premier has been provocative on this issue.

Mr. Handleman: To continue. She said:

IT IS UNFORTUNATE THE SITUATION HAD TO GO AS FAR AS IT DID BEFORE THERE COULD BE ARBITRATION. WE FEEL HOWEVER THAT ARBITRATION SHOULD BE VOLUNTARY AND NOT IMPOSED BY STATUTE.

An hon. member: Right.

Mr. Handleman: And the board said they would not volunteer to go to arbitration. This bill forces the board to go to arbitration, which is what the teachers' federation of Carleton have asked for two years. It will go to the same kind of arbitration that would have existed if it had been voluntary. This, to me, Mr. Speaker—

Mr. Cassidy: So stop blaming the teachers for all this.

Mr. Handleman: I am not blaming the teachers. That's exactly what I am trying to say.

Mr. G. Nixon (Dovercourt): Show a bit of courtesy around here.

Interjections by hon. members.

Mr. Handleman: Listen, this bill—

Mr. Speaker: Order.

Mr. Yakabuski: Will the leader of the NDP throw out the member for Ottawa Centre?

Interjections by hon. members.

Mr. Handleman: This bill, Mr. Speaker, gives to the teachers' federation of Carleton—

Mr. Speaker: Perhaps the members on the

government side would observe a little courtesy.

Mr. Breithaupt: Move to adjourn the House.

Mr. Handleman: Thank you. This bill has given to the teachers' federation of Carleton exactly what they have been seeking to obtain from the board for two years.

Mr. Lewis: No, they want the ceilings raised.

Mr. Handleman: They haven't asked for the ceilings to be raised, they have asked for a salary settlement, and I'll go into detail on that later to show exactly what has been offered. It is obvious that there would have been no settlement without this bill, and they are getting compulsory arbitration. They have been wearing bumper stickers on their cars saying, "Why wait? Arbitrate." This government has accommodated them, Mr. Speaker. It has said to the board, "You shall arbitrate."

Mr. Roy: The member is being naive now. The government went them one better and stopped them from resigning, eh?

Mr. Handleman: No. For a moment, Mr. Speaker, I'd just like to read an article which appeared in a weekly newspaper. This is an article written by one of our neighbourhood reporters, a very good reporter, in which she says:

> As a parent of elementary school children under the Carleton Board of Education I'm concerned about the potential resignations of over 80 per cent of the teachers. Is the board being unresponsive? Are the teachers' demands unrealistic? Are the ceilings set by the ministry too low?

In order to find the answers to that she went to a teacher who had resigned, a trustee of the board and the president of the teachers' federation of Carleton. After they set forth their various positions, she concludes:

> Of course the real losers in this tragedy are the children, who have the right to an education. [She is not siding with anyone except the children.] We, as parents and taxpayers, want that right protected. Education is of vital importance, however the financial health of the country—

Mr. Lewis: There is a predictable response.

Mr. Renwick: The real losers are the children? They are enjoying the day off from school just the way the member for Carleton and I did.

Mr. Roy: That is a very poor defence and the member knows it.

Mr. Handleman: She goes on:

> —is also of vital importance. In my opinion an average salary increase of 11 per cent [and that's what the cost to the board is] seems fair. However, if the problem is apportionment of this 11 per cent [and that's what seems to be the problem; not the offer made by the board, but how it's apportioned, she says] I feel the three groups concerned, teachers, board and ministry [she includes the ministry] should play an active role in changing the method of apportionment, so that each teacher receives a total salary increase at least equal to the increase in the cost of living.

The mediator was unable to bring about that type of agreement. He gave up.

Mr. Lewis: Sure, because of the ceilings.

Mr. Handleman: Now the arbitrator will have that responsibility and to that end—

Mr. Lewis: An unfair settlement.

Mr. Handleman: —I support the bill wholeheartedly. It will bring about a settlement in Carleton.

Mr. Cassidy: An unfair settlement.

Mr. Handleman: It will also save the teachers, because they were being supported by their federation in Toronto. Theirs is the only elementary public board in the province wherein mass resignations have taken place; whatever salary loss might have accrued to them, they will not now accrue. They will receive exactly what they have been asking for, and in my view this is a fair way of settling the dispute in Carleton. I don't pretend to know anything about the province, because the leader of the New Democratic Party knows all about that and he's told us all about it.

I don't think the teachers would have won anything in continuing the negotiations that Bill 274 does not give them. They would have won nothing but they might have lost the respect of the parents and students.

Mr. Cassidy: They sure won't win when they are arbitrated under the ceilings.

Mr. Handleman: I would like to think the hundreds of telephone calls and tele-

grams and letters which I received from teachers are spontaneous—

Mr. Lawlor: He sure made the trains run on time; Fascists do.

Mr. Handleman: —and in recognition of the fact that I spent many years working with them in a common cause. I would like to think they reflect the mutual respect which has existed between teachers and trustees in Carleton for many years and their concern for the effects of this dispute on the quality of education in Carleton in the years ahead.

I've read many of these letters and telegrams. I brought a whole pile into the House with me last night.

Mr. Cassidy: Read them.

Mr. Handleman: I'm disillusioned.

Mr. Lewis: The member is disillusioned?

Mr. Handleman: That's right.

Mr. Lewis: Imagine how they feel.

Mr. Breithaupt: So are they.

Mr. Handleman: Most of the communications indicated to me, Mr. Speaker, something which I find shocking.

Mr. Roy: They had nice things to say about the member.

Mr. Handleman: I'm sure they did. I would hope in some of these professional development days that perhaps the teachers might study the workings of the parliamentary system, the party system, and the whole basis of how legislation is passed in this Legislature.

Mr. Lewis: They came here today.

Mr. Handleman: It's obvious to me, Mr. Speaker, that this is something they're not particularly familiar with.

Mr. Lawlor: And the majority rams it through.

Mr. Handleman: I'm not going to read all the statements of fact and non sequiturs and downright false information which are contained in these letters. Do members want to stay here forever?

Mr. Lewis: Yes, I am loving it.

Mr. Handleman: But it is sufficient to say I don't think—

Interjections by hon. members.

Mr. Cassidy: On a point of order, Mr. Speaker.

Mr. Speaker: A point of order?

Mr. Cassidy: Is the member saying he has had an abundance of false information in telegrams and so forth? If that is the case, I think he should put it on the record because this is another unfounded accusation against the teachers who have been contacting him.

Mr. Handleman: I simply don't want to take the time of the House to read them.

Mr. Lewis: Why not? We invited him to.

Mr. Handleman: I want members opposite to say whether or not this is true. I'll tell them what was in one letter. Okay?

Mr. Lewis: Well, read it to us. Don't tell us.

Mr. Handleman: I don't know whether I can find it in here. I'll send the member a copy of it.

Mr. Lewis: Never mind.

Mr. Cassidy: Read them all. The member said all those teachers are giving false statements.

Mr. R. G. Eaton (Middlesex South): Why doesn't the member for Ottawa Centre be quiet?

Interjections by hon. members.

Mr. Speaker: Order. Order.

Mr. Renwick: If the member for Carleton is going to question somebody's word, let him not extemporize. Let him find the letter and read it to us.

Mr. Speaker: Order.

Mr. Handleman: I'm not extemporizing. I'll send the member a copy of the letter.

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. member for Carleton will please proceed.

Mr. Handleman: I'll pamper them, Mr. Speaker. I simply don't want to stand here and go through 250 letters.

Mr. Lewis: We will accommodate him.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Handleman: I don't have that kind of time. I do object to one, which I can find very easily, which was addressed to me as "Dear Mr. Haldeman." I think I have a right to object to that because of the pejorative sense in which that name is used. Unfortunately, the Leader of the Opposition (Mr. R. F. Nixon) can't object to being called by the name of Mr. Haldeman's boss because that happens to be a fact.

Mr. Roy: The member for Carleton doesn't have that kind of talent.

Mr. Handleman: But I object to that.

Mr. Lewis: It's not a bad sobriquet.

Mr. Handleman: I listened with a great deal of interest—

Mr. Lewis: Where are all those falsehoods the member was going to quote? He doesn't feel like doing it now. Oh, well, a little smear here, a little slur there, the old smear technique of the Tory party.

Mr. Handleman: I just don't feel like it. I'll send the member my letters.

Mr. Lewis: Well, he seems to think that is bad. Just try a little smear. He might as well.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Handleman: Mr. Speaker, if the member for Scarborough West would like to undertake to answer my mail, not on my behalf but on his own behalf, I would be glad to send it all to him.

Mr. Lewis: Read one or two.

Mr. Speaker: Order.

Mr. Handleman: I didn't come prepared to read all those letters. I have them here, Mr. Speaker. I don't feel like taking the time and going through them.

Mr. Lewis: I see. Just a casual slur on the profession is okay, but documenting it isn't okay.

Mr. Handleman: I didn't casually slur the profession.

Mr. Breithaupt: It wasn't casual, just deliberate.

Mr. Lewis: Just a calculated falsification, is that it? Go ahead; find the letters. That's it. It does his soul good. See how much better he is?

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Handleman: They're the most stubborn bunch of people I've ever come across.

Interjections by hon. members.

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Speaker: Order. The member for Scarborough West has already spoken in this debate.

Mr. Handleman: Here is one that is typical.

Mr. Lewis: Typical?

Mr. Handleman: Typical. There must have been 75 like this. It says: "I am very concerned and anxious over this Bill 274. Surely a teacher should have the right to resign from his teaching position."

Mr. Lewis: Is that all? Dead on!

Mr. Handleman: Dead on, and I would agree with him. I absolutely don't argue with him at all. What he feels is that Bill 274 prevents him from resigning.

Mr. Lewis: It does.

Mr. Handleman: It does?

Mr. Lewis: Does the member mean that is the falsification? When is he going to read the bill if he is going to speak on it?

Mr. Handleman: The bill does not prevent him from resigning his position.

Mr. Lewis: It certainly does.

Mr. Handleman: It prevents resignation en masse.

Mr. Renwick: It subjects them to a possible fine of $500 a day for each day.

Mr. Speaker: Order.

Mr. Handleman: Resigning means creating a vacancy.

Mr. Cassidy: The bill says "resigning." That is the word it uses.

Mr. Roy: Read the bill.

Mr. Handleman: I really think this is a waste of the House's time. Members know what "resignation" means. They also know what "strike" means. There's nothing to be ashamed of in using the word "strike" as distinct from "resign." We know what "resign"

means. Members opposite know what it means. They've admitted to it. Mass resignations are strikes. There's nothing wrong with that. I'm not trying to say there is anything wrong with it. There is nothing in this bill to prevent a person from resigning.

Mr. Renwick: He is making a very good case against the bill. Go right ahead!

Mr. Lewis: Of course, there is. That is what it is there for.

Mr. Handleman: Okay. We'll go into it clause by clause, and the member can tell us how he reads the bill.

Mr. Cassidy: There is some trumped-up definition of a conspiracy that is not provincially possible.

Mr. Lewis: The bill is a travesty. In fact, the member didn't really study this very hard.

Mr. Cassidy: What other falsehoods has the member found in his letters?

Mr. Handleman: Mr. Speaker, I want to deal with some remarks by the hon. member for Lakeshore, whom I always enjoy, but I listened to him with some interest and utter disbelief when he spoke of professionalism. His definition of professional and mine are so far apart that I find it difficult to believe that he has ever considered himself to be a professional.

Mr. Lawlor: I consider the hon. member an uninspired amateur.

Mr. Handleman: It has been facetiously said by the member for Lakeshore that a professional never says "thank you." Well, he has said "thank you"; I have heard him say it here. I have said "thank you." I don't think he considers himself not to be a professional.

The true test of a professional is that he always gives his best as long as he remains in his chosen profession.

Mr. Lawlor: I told the member what happened.

Mr. Handleman: His first responsibility is to his client.

Mr. W. Newman (Ontario South): He hasn't got any.

Mr. Handleman: If in carrying out that responsibility he finds himself financially disadvantaged, he has every right to try to improve his economic position, except the right to harm his client in the course of the attempt.

I think the member for Lakeshore would agree with that definition of professionalism.

Mr. Renwick: Of course, one is not entitled in our society to deliberately harm anyone, but one is entitled to pursue one's own rights. We are going to talk about that tonight.

Mr. Handleman: It is an old-fashioned concept, Mr. Speaker, but it is one that I am not ashamed of.

Mr. Renwick: We will—

Mr. Lewis: Well, I'm glad about that.

Mr. W. Newman: The member for Riverdale shouldn't get so worked up.

Mr. D. W. Ewen (Wentworth North): It really bothers them over there, doesn't it?

Mr. Renwick: Wait until we get to clause-by-clause.

Interjections by hon. members.

Mr. Speaker: Order. Order please.

Mr. Handleman: Mr. Speaker, I know there is at least one other member who wishes to speak on this bill, and there may be others—

Mr. Roy: More than that.

Mr. Handleman: Well, okay. Before I conclude my remarks, I just want to relate to the House a conversation I had with a teacher in Carleton.

Mr. Lawlor: We enjoy listening to these conversations.

Mr. Handleman: I don't feel I am boring the members.

Mr. Speaker: The hon. member should discontinue provoking the opposition.

Mr. Handleman: Well, I think I have the right to relate this conversation, Mr. Speaker. This lady is a teacher in Carleton, a widow with many years of teaching experience.

Mr. Cassidy: Is she in the member's riding organization?

Mr. Handleman: No, she's not. She has been assigned to a remedial reading class for the last few years, and she called me to protest the pressure being exerted to obtain her resignation. Resignations in Carleton were not sent through a trust company; as the hon. member knows, they were sent through the federation offices as a result of public meetings.

Her words will remain with me for quite some time, because I think they reflect the attitude of most of the teachers toward their profession. "Mr. Handleman," she said, "I can always use more money, and I hope the board can be persuaded to improve its offer."

Mr. Haggerty: How can they?

Mr. Handleman: By compulsory arbitration, but that is—

Mr. Lewis: Oh, boy!

Mr. Lawlor: Charge it, boy.

Interjections by hon. members.

Mr. Handleman: If I may continue, Mr. Speaker, she went on to say: "But my children cannot afford to lose a day's instruction." She was talking about children who have trouble reading. "They can't afford to be out for a day. They need me there at all times." And she was right.

Mr. Lewis: What about the professional development days?

Mr. Handleman: She also said: "I have been ostracized by the other teachers in the school." And she has. Nobody would speak to her in the teachers' lounge, and there were pressures being put on her.

She said: "I have been pressured by the principal to submit my resignation, I have been insulted at meetings, but I will not abandon my responsibilities to the children, no matter what the cost. I will quit teaching before I do that." She would resign her job before she would neglect her professional responsibilities.

Mr. Lewis: If the government would let her resign.

Hon. Mr. Lawrence: She can resign!

Mr. Handleman: Mr. Speaker, she is one of the almost 20 per cent of the Carleton teachers who did not resign in this dispute. She may not be one of the new breed that the Leader of the Opposition mentioned, but this is my kind of teacher.

Interjections by hon. members.

Mr. Handleman: I have a feeling she is not in the minority in her profession. The future of education in Ontario, as long as it is in hands like hers and many like hers, is in good hands. Thank you, Mr. Speaker.

Mr. Roy: The member is impossible.

Mr. Lewis: Well, he saved his vote.

Mr. Cassidy: That speech goes to every teacher in Carleton.

Mr. Eaton: How would the member know? He is never in Ottawa.

Mr. Speaker: The hon. member for Essex South.

Interjections by hon. members.

Mr. Lewis: On a point of privilege or correction, that speech goes to every teacher in the province.

Mr. Speaker: I don't recognize that as a point of privilege. The hon. member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Speaker, I would like to say a few words on Bill 274. I believe almost every member in our party and in the New Democratic Party has participated in expressing his personal views in relation to this retrogressive legislation.

It was my intent originally to speak on Thursday evening, Mr. Speaker. Because of a series of events I happen to have the position, at 5:45 o'clock on Dec. 18, of trying to sum up some of the viewpoints which have been drawn to my attention by the very able speakers who have spoken before me. I certainly must congratulate at this time the member for St. George on her forthright address pinpointing the very legalistic aspects of the intent of this particular bill. I don't think I can say much more in that regard, Mr. Speaker.

Earlier this afternoon my son was in the gallery. He is attending university. He is in the engineering field and specializing in one area of labour negotiations. I am sure, Mr. Speaker, that in the months and years to come the introduction in this province of the bill which advocates compulsory arbitration before a withdrawal of service has actually taken place will be a case history for study by the students in this area.

Mr. R. F. Nixon (Leader of the Opposition): Right. It has never happened before.

Mr. Paterson: This is something I simply cannot swallow, Mr. Speaker. I am sure many members in this House feel I am a very right-wing Liberal.

Mr. Singer: No.

Mr. R. F. Nixon: No.

Mr. Paterson: Possibly. I confess to this but I feel no compunction whatsoever in supporting my party's position on the very fundamental rights of a Canadian citizen. In that regard, Mr. Speaker, I would like to read one very brief letter from a teacher in my riding which I received this morning while I was at my desk. I don't know in which school the person teaches. I quote:

> Up to now I considered myself extremely fortunate to have become a Canadian citizen, to share with others the responsibilities and privileges of a democracy. With the introduction of that tyrannical and dictatorial piece of junk referred to as Bill 274, I am finding that possibly this great country is not what it appears.
>
> In this bill, the Minister of Education is attempting to pass unconstitutional retroactive legislation to infringe on the constitutional rights of and is discriminating against the teaching profession. I trust that you will do everything in your power to ensure that Bill 274 goes down the drain.

An hon. member: Good letter.

Mr. Paterson: I picked this particular letter out, Mr. Speaker. I had occasion to send a page down to pick up my mail because I was intent on listening to almost every speech in this particular debate because I really am interested in this matter. I deplore the fact that so many seats in this House have been empty throughout many of the speeches dealing with this matter.

Last year, Mr. Speaker, I followed the dispute which occurred in the city of Windsor and lasted for some 17 days. Certainly there wasn't the hue and cry that this was supposedly going to harm the children involved in the school situation at the time. This appears to be what the ministry is hanging its hat on in this particular case. I am sure that in the Windsor instance those pupils and those teachers came back into the classrooms and ensured their grades reached a very high level of achievement during this current year.

At the introduction of this bill a week ago Monday with three weeks yet to go, the minister stated in his opening remarks:

> With the proposed legislation in clear view, those involved in the remaining 17 negotiations [which was correct at that time] will be able to move forward toward reasonable settlement before the start of the new school term in January.

I feel the introduction of this legislation has caused more discontent in our school system and has probably jeopardized many negotiations. I do trust that seven or eight are proceeding at this time. But I do feel that this has riled up the whole situation and has possibly done much more harm than if this matter had been left in abeyance and this bill not introduced in the first place.

Personally, I'm of the opinion that the Windsor situation verified, or certainly changed my attitude to education. Up until this year I've had four children in the education stream, and I always insisted that they be in school. I never brought them down to the opening of the Legislature, or involved them in many other interesting things that I could have done to enhance the outside education of my children. I believed that they should have been in the classrooms.

But my attitude has changed this past year. Not strictly because of the Windsor situation; but I took a chance, I took my daughter out of school for four or five days last spring, and she came through with approximately a 90 average at the end of the year. But in the meantime her education on other aspects of life in our province was enhanced. I don't feel that it did any harm. And I don't feel that if the children should happen to be out for a few days in the month of January it is going to seriously jeopardize their particular situation in the school system.

Surely to goodness, Mr. Speaker, there can be some flexibility in the structured arrangements whereby classes have to resume on Jan. 3. There are plenty of other days to catch up days that possibly might be missed if there is a withdrawal of services in that regard.

I'm certainly concerned with the rights of the school boards and the rights of the teachers, but I feel that the most important aspect is the right for both groups to be able to bargain in good faith. This is what has been destroyed or upset with the introduction of this bill.

One of the fundamental principles in the negotiations, in my opinion, is that each side must be able to bargain from strength—and preferably from equal strength.

Much has already been said today, and other days Mr. Speaker, about the spending ceilings being an imposed deterrent to the free bargaining that could have or should have gone in the various jurisdictions in our province.

This may not have been a deterrent from all situations, but I don't think anyone could deny that it has been evident and a fact in many others.

What really concerns me, Mr. Speaker, is the interference of government. It has tipped the scales of justice in the rules of negotiation and bargaining that have been set out by the Ministry of Labour and this government over many years.

I hold no special brief on behalf of the teachers. I do have a daughter who is a teacher; I do have two nephews and two nieces who are teachers. I hold out no special brief for boards of education; but I also refuse to accept the red herring that the children are deeply involved at this time.

I simply regret that this government has seen fit to bring in legislation that changes the rules before the facts. I feel this is bad legislation, that will undermine in the future all labour negotiations in our province.

It is a denial of civil rights, and I reject the bill on this particular principle.

I am requesting the minister one last time, please do not proceed with this bill through second reading. I just simply echo the last statement of the member for St. George in her remarks today, when she made a plea to the Lieutenant Governor of this province requesting that he withhold royal assent should this bill proceed through this Legislature. I concur with her request in this regard.

Mr. Speaker: The hon. member for Kent.

Mr. Spence: Mr. Speaker, I wish to say a few words on Bill 274 which has caused chaos, confusion and anger among the teaching profession, not only in this Legislature but across the Province of Ontario.

Mr. Speaker, I don't want to echo what was said by my leader in the past few days, and what was said today by the hon. member for St. George. Every member of the Liberal Party has spoken out against this bill. It's impossible for me to believe that the Minister of Education would leave Bill 274 to be introduced in the last 10 days of this session.

I might say many of the teachers in this province have been protesting by resigning on Nov. 30 to take effect on Dec. 31, which we understand is legal. Now the government says in this bill that teachers' resignations are not effective until Aug. 31 and that teachers must go back to the classrooms after Dec. 31. The teachers of this province will be forced to go back to teaching against their will despite their rights under the contracts they signed with their employers.

Mr. Speaker, I have received many telegrams, which I will not read, and on the weekend I had many telephone calls from teachers in southwestern Ontario asking me to support their cause.

The problem of collective bargaining in the teaching profession has been talked about for years. I am told that in 1970 a dispute arose in this province and at that time the government set up a committee of inquiry to study and report recommendations. The committee reported over a year ago but this government took no action until now.

Bill 274 has created anger, resentment and protestations by the teachers in the province. The bill reminds me, Mr. Speaker, of Bill 99, which was introduced in this Legislature nearly a decade ago and which was intended to cope with organized crime in the Province of Ontario. The bill took the form of making a police state in this Province of Ontario. The debate in the Legislature at that time was loud, angry and vicious and the government withdrew the bill; which, Mr. Speaker, was the right action to take.

The Minister of Education should withdraw this present bill and find means of settling this present dispute. The time has come when some really constructive action must be taken to put things straight. Nothing good ever was achieved in bitterness and anger. The Minister of Education has a duty and a responsibility at this time. This present legislation will serve no useful purpose even if the government forces the bill through. It cannot help but have a negative effect upon the teachers, and through the teachers upon the students of this province.

Mr. Speaker, today we witnessed outside this Legislature one of the largest demonstrations I have seen since I became a member. Surely this is a notice to this government to withdraw the bill!

This is not satisfactory to the teachers of this province and I tell you, Mr. Speaker, if the government passes this bill, it will be a serious blow to the teachers of this province and it will have a telling effect on our educational system for many years.

I hope the minister has noticed today the resentment and anger of teachers and people across the province. He will regret this day if he doesn't withdraw this bill and sit down with the teachers to iron out something that will be satisfactory both to the teachers and to the government.

Mr. Speaker: Are there other members who wish to participate in this debate before the minister replies?

Mr. R. F. Nixon: The Premier said he was going to speak.

Mr. Roy: I thought the Provincial Secretary for Resources Development was going to get into this. A lot of teachers are from Ottawa. wishes to speak, but he isn't here.

Mr. Speaker: Well then, if there are no other members, it would be up to the minister to take the floor and respond.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, the hon. member for Durham (Mr. Carruthers) wishes to speak, but he isn't here.

Interjections by hon. members.

Mr. Speaker: I think that is quite proper. We can recognize the hon. member for Durham when we resume after the supper recess.

I'm sure that all the members would agree with me that it would be only proper that we should recognize the fact that a former colleague of many of us is in the gallery; Mr. Clifford Pilkey is with us this afternoon.

It being 6 o'clock, p.m., the House took recess.

ERRATA

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161	6906	6	17	Dec. 20, 1972
161	6907	1	31	Mr. Smith
170	7220	2	31	**Hon. Mr. Davis:** I don't want a crying

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No. 178



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Tuesday, December 18, 1973

Evening Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

MINISTRY OF EDUCATION ACT
(*concluded*)

Mr. Speaker: The hon. member for Durham.

Mr. E. Sargent (Grey-Bruce): Is that in the House leader's (Mr. Winkler's) riding?

Mr. M. Cassidy (Ottawa Centre): He is leading them to defeat in 1975.

Mr. A. Carruthers (Durham): My first words, Mr. Speaker, must be words of congratulations to the Minister of Education (Mr. Wells) on the very positive stand he has taken against a great deal of opposition; to the Premier of this province (Mr. Davis) and to the members of this caucus.

Mr. M. Shulman (High Park): Let Hansard show the mute applause.

Mr. Carruthers: I also extend congratulations—

Mr. F. Laughren (Nickel Belt): He will look silly when he withdraws the bill.

Mr. Carruthers: —for the solidarity that has existed from the time this bill was introduced until the present time and will continue in the days ahead.

Mr. Cassidy: All the backbenchers are scared stiff and the member knows it.

Mr. Shulman: The people behind him don't look exactly solid.

Mr. Carruthers: Mr. Speaker, I would like to say to the member for—

Mr. J. A. Renwick (Riverdale): He is the only one who has congratulated the minister on the bill.

Interjection by an hon. member.

Mr. Carruthers: —Ottawa Centre that if I were a teacher in this House—

Mr. Renwick: Would he give way to a ministerial statement?

Mr. Carruthers: —and this was a classroom, I would ask him to write out that 4½-hour speech 10 times and hand it in to me tomorrow morning.

Interjections by hon. members.

Mr. Cassidy: That shows he understands education, doesn't it?

Mr. Carruthers: Maybe he would understand the situation a little better.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): That would teach him a thing or two, I will tell the members.

Mr. Carruthers: Mr. Speaker, it is with a sense of concern that I rise to participate in this debate and I hope I am speaking on behalf of the teaching profession—

Interjections by hon. members.

Mr. Cassidy: By the way there is a 97-page speech—

Mr. Renwick: Comedy mixed with tragedy

Mr. Carruthers: —and not necessarily on behalf of a group within that profession. I am concerned, Mr. Speaker, over the future of education in this province—

Some hon. members: So are we.

Mr. W. Ferrier (Cochrane South): The member is going to vote with us, is he?

Mr. Carruthers: —and that concern is based partly on the classroom environment in which teachers find themselves today and partly, Mr. Speaker, on the scenes that you and I have witnessed in this House and outside this House in the past few days.

Mr. Cassidy: They've been pretty repugnant, haven't they?

Mr. Ferrier: He is with us. I'm glad to hear that.

Mr. Carruthers: I'm going to have to ask that hon. member to go out and stand behind the door!

Interjections by hon. members.

Mr. Renwick: That's Tory Ontario speaking about education.

Mr. J. F. Foulds (Port Arthur): Why not in the corner?

Mr. Laughren: Corporal punishment.

Mr. Carruthers: I'm coming to that member.

Mr. F. A. Burr (Sandwich-Riverside): Bring back the strap.

Mr. Carruthers: Mr. Speaker, we have listened to those gentlemen across the way for hours on end. We gave them good attention and the treatment they gave to the member for Carleton (Mr. Handleman) this afternoon was completely disgraceful. If this was a classroom they'd all have been expelled.

Mr. Renwick: That's one thing the government can't do to us.

Mr. Carruthers: Mr. Speaker, the basis for the unrest with respect to the legislation lies to a degree in the classroom itself where teachers are faced, in their opinion, with frustration and with a feeling that their efforts to maintain their dignity and their position in the classroom and in the profession are not altogether being supported by the school boards, by the ministry and by the general public.

Too many teachers are expressing this feeling to me, and I'm sure they have been expressing it to other members of this House. The teacher's position is often attacked, both in the classroom and without. And too often the teacher has been the target for abuse which should perhaps be levelled on society itself.

Mr. Cassidy: And at the government?

Mr. Carruthers: And levelled at a socialist party, too, which has tried to brainwash a group of them.

Mr. Ferrier: We're for the teachers.

Mr. Cassidy: What does the member for Durham mean? Members opposite weren't even talking to them until they came to us when they were looking for friends in this Legislature and didn't have them on that side.

Mr. Foulds: At least the teachers have brains to wash, which is more than can be said for the backbench Conservatives.

Hon. W. G. Davis (Premier): I would be careful if I were the member.

Mr. Carruthers: Mr. Speaker, I watched with a real sense of shock, and certainly with a degree of disgust, members of what has always been considered over the centuries one of the most highly respected professions —and may I say this was only a minority group—but I observed them stampede into this building, stamp their feet, yell insults, ring the fire alarm and disrupt the gallery and members of this House.

Mr. Renwick: Stampede? The member knows as well as we do: "No running in the halls."

Mr. Carruthers: I don't think this represents by any means the teaching profession in this province—

Mr. Cassidy: Today we had 70,000 of them from around this province.

Mr. Shulman: There were just a handful here that night.

Mr. Foulds: There were just 40,000 of them today—one out of every three in the province.

Mr. Carruthers: —regardless of any emotion or misunderstanding, and there seems to be a significant degree of misunderstanding. Teachers are considered to be above that type of conduct. I say most emphatically the action of that group on Tuesday evening last in no way represents, in my opinion, the vast majority of teachers in this province.

There has been a considerable degree of misunderstanding, particularly with respect to Bill 274. To illustrate that, Mr. Speaker, may I read to you a telegram, and I have had a few telegrams.

Mr. Ferrier: Did the member send them to himself?

Mr. Carruthers: The odd thing about it is that most of these telegrams come from outside my riding. I think I got four or five.

Mr. Renwick: I guess the people in his riding don't know he is the member.

Mr. Carruthers: But this indicates the misunderstanding and the—

Mr. Cassidy: Why doesn't he admit the government is wrong?

Interjection by an hon. member.

Mr. Carruthers: It indicates the misrepresentation that these people have planted in the minds of many people throughout this province. This is a telegram—

Mr. Cassidy: Where did the member get this crap from?

Mr. Carruthers: I listened to the member for Ottawa Centre. I hated to do so, but I did.

Interjections by hon. members.

Mr. Foulds: Carry on with the telegram.

Mr. Carruthers: Here's one:

WE THE TEACHERS OF THE CENTRAL PUBLIC SCHOOL DEPLORE THE ACTION TAKEN IN THE ONTARIO LEGISLATURE IN THE EMERGENCY BILL 275.

Mr. R. F. Nixon (Leader of the Opposition): Oh, isn't that terrible?

Mr. Shulman: That's a great contribution to the debate.

Interjections by hon. members.

Mr. Carruthers: Here's a letter I received, and I only received five letters. I consider myself rather lucky.

Mr. P. D. Lawlor (Lakeshore): They sensed the unresponsive.

Interjections by hon. members.

Mr. Carruthers: I consider myself rather fortunate that I've only received a very limited number of letters.

Mr. Renwick: That telegram about Bill 275 is extremely accurate. They are just people with an immense amount of foresight because that Bill 275 will be back here later on.

Hon. Mr. Davis: Don't be sure, they may support it later on.

Mr. Renwick: I'd dock him a couple of marks for that error in arithmetic.

Mr. Speaker: Order.

Mr. Cassidy: No, the teachers don't support it; not any more.

Mr. Speaker: The hon. member for Durham has the floor.

Mr. Renwick: Nobody is trying to take it from him.

Mr. Lawlor: He can have it, possibly as a place to lie on.

Interjections by hon. members.

Mr. Shulman: How can he defend this legislation?

Mr. Carruthers: Well Mr. Speaker, if you had a class like this in a school, what would you do?

Mr. Lawlor: We have gone a little beyond that.

Mr. Carruthers: I am sure you are frustrated, Mr. Speaker.

Interjections by hon. members.

Mr. Lawlor: If we had a class like this I would repudiate you as a teacher, Mr. Speaker.

Mr. Carruthers: And if any teacher had to control a class like this he would be very frustrated.

Mr. Lawlor: They would learn a lot, though.

Interjections by hon. members.

Mr. Carruthers: I have a letter here too. I have a letter. The members opposite had some letters; I have a letter here.

Interjection by an hon. member.

Mr. Carruthers: It says: "I am writing to express my concern about Bill 275 dealing with forcing the teachers back on the job."

Mr. Ferrier: He's got the wrong bill again.

Mr. Carruthers: And that indicates the confusion that has been created.

Mr. Cassidy: Oh no; they can't get out of it like that.

Mr. Shulman: I hope this is not the Conservative case.

Interjections by hon. members.

Mr. Ferrier: The member for Durham hasn't told the whole story.

Mr. Speaker: Order.

Mr. Foulds: Even the Premier is blushing.

Interjections by hon. members.

Mr. Speaker: Order please.

Interjections by hon. members.

Mr. Cassidy: I bet it was misspelled as well.

Mr. Carruthers: The member's right. I didn't like to mention that.

Mr. Ferrier: Did the member write that over 50 times?

Mr. Carruthers: No, I haven't written back yet, but I am going to write a long letter to all the teachers and I am going to include some excerpts from Hansard.

Mr. Foulds: Terrific.

Mr. Carruthers: Particularly some of those speeches that were made by the New Democratic members of this House, and particularly—

Interjections by hon. members.

Mr. Carruthers: —by the members who are considered to be former teachers or are members of the teaching profession.

Mr. Laughren: I would hope so.

Mr. Ferrier: Thanks very much.

Mr. Foulds: Thanks for getting the word out for us.

Mr. Carruthers: Right.

Mr. Foulds: On a point of order: For the member's information I would be glad to give him the entire text of my leadoff.

Mr. Carruthers: Oh I have it, the member doesn't need to worry.

Mr. Foulds: Terrific.

Mr. Lawlor: Most of us are teaching something or other over here.

Mr. Carruthers: There are some teachers, Mr. Speaker, who have been under the impression that Bill 274 forces them back into the classroom without any consideration.

Mr. Foulds: The member is right.

Mr. Ferrier: That's right.

Mr. Carruthers: When advised that the outstanding disagreements will be subject to arbitration, in many instances their viewpoints have changed. I have had a number of callers on this who said: "Well, the heck with arbitration, we are not concerned with arbitration."

Mr. Cassidy: Sure we are. It's in the bill.

Mr. Carruthers: The teachers are not concerned about it in my riding.

Mr. Renwick: Give us the information, give us the specifics.

Mr. Carruthers: A great number of them are not concerned about the arbitration clause.

Mr. I. Deans (Wentworth): How many calls has the member had?

Mr. Renwick: Give us the specifics.

Mr. Deans: What were their names and addresses?

An hon. member: He's like the member for Cochrane North (Mr. Brunelle)—

Mr. Carruthers: Does the member want me to speak all night?

Mr. Deans: No.

Mr. R. F. Nixon: Let him tell us what his sister-in-law says.

Mr. Speaker: Order.

Mr. Renwick: What about the letters he got from his former students?

Interjections by hon. members.

Mr. Speaker: Order. Please let the hon. member complete his remarks.

Mr. Carruthers: I don't speak very often in this House and I—

Mr. Shulman: He is right.

Mr. Foulds: We can see why.

Mr. Carruthers: Wait till I get around to the member for Port Arthur.

Mr. A. J. Roy (Ottawa East): Sock it to 'em.

Mr. Renwick: Why doesn't he read us the letter he got from his former pupils?

Mr. Carruthers: In the opinion of many members of the profession, arbitration is a growing and a justified form of settling disputes between the profession and members of the boards.

Interjection by an hon. member.

Mr. Carruthers: It has been pointed out to me on a number of occasions that in civil matters two parties go before a judge or a jury to have a decision made.

Mr. Cassidy: That is voluntary arbitration.

Mr. Carruthers: It is becoming more apparent, Mr. Speaker—

Mr. Deans: They make the determination themselves.

Interjections by hon. members.

Mr. Carruthers: —to the general public that some form of judicial decision—

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Carruthers: —such as a type of arbitration is the only satisfactory method of settling labour disputes of all kinds—

Mr. Cassidy: Of all kinds; by fair methods?

Mr. Carruthers: —thus preventing costly and unproductive disputes, and a great deal of unrest.

Mr. Cassidy: That is voluntary arbitration.

Interjections by hon. members.

Mr. Deans: Disputes of all kinds?

Mr. Carruthers: Yes.

Mr. Speaker: Order.

Mr. Deans: Is that government policy?

Mr. Cassidy: On a point of order, Mr. Speaker.

Mr. Speaker: Will the hon. member state his point of order and I'll listen to it?

Mr. Cassidy: Yes. Is the member stating that he believes that arbitration should be the only way to settle the industrial dispute?

Mr. Speaker: That's no point of order. Don't answer it.

Mr. Deans: Don't submit to arbitrary measures; answer the question!

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Carruthers: After a long period of negotiating has occurred in a number of the school districts—

Mr. Cassidy: I want to know why he won't answer that.

Mr. Carruthers: After six to eight months, if a satisfactory agreement cannot be reached then I think school boards and teachers as well are in favour of some form of arbitration.

Mr. Lawlor: As well as some legislators.

Mr. Ferrier: Voluntary, not compulsory.

Mr. Carruthers: Well regardless of what it is, it's got to be looked after.

Mr. Lawlor: What does the member say about bringing back the strap? Does he think that is great? He says to the young fellows: "Drop your trousers. You're going to meet your destiny."

Mr. Carruthers: Mr. Speaker, again with reference to the attitude and conduct of some groups which presented themselves in this Legislature on Tuesday evening last, may I suggest to the hon. minister that in the selection of those who play such an important role in moulding the lives of our young people, that in addition to academic ability attributes of character, attitudes and personality perhaps should play a more important role and be taken into consideration.

Mr. Lawlor: We're going to be quiet for a while.

Interjections by hon. members.

Mr. Carruthers: Mr. Speaker, we have witnessed in this House the attitude of certain members of the Socialist party—

Mr. Lawlor: Democratic socialists.

Mr. Carruthers: —who profess to be hon. members of the profession of teaching.

Mr. Shulman: Is the member calling me a Socialist?

Mr. Lawlor: It is our democracy.

Mr. Carruthers: We see them slouched in their seats—

Mr. Ferrier: We are sitting up, sir.

Mr. Carruthers: —with their feet on their desks.

Mr. Cassidy: We are going to throw a spitball, too.

Mr. Carruthers: Only arousing themselves to express some fleet interjection at hon. members.

Mr. Lawlor: Even the member for Elgin (Mr. McNeil) doesn't agree with the member on that point.

Mr. Carruthers: Mr. Speaker, they leave the impression that the profession is deteriorating, which isn't true.

An hon. member: The same old gang.

Mr. Carruthers: Can you imagine your children, Mr. Speaker, under the guidance and direction of teachers such as that?

Interjections by hon. members.

Mr. Roy: No, I can't.

Hon. W. A. Stewart (Minister of Agriculture and Food): Nor can the province.

Mr. Carruthers: Can members picture a classroom with a teacher sitting with his feet up on the desk?

Interjections by hon. members.

Mr. Carruthers: Sometimes one can't tell whether the member for Port Arthur is even here or not.

Interjections by hon. members.

Mr. R. F. Nixon: How about the member for Sandwich-Riverside (Mr. Burr)?

Mr. Cassidy: The best classes I ever taught were when I sat on the desk, as a matter of fact.

Mr. Carruthers: That's a different thing. That's the same with me.

Mr. L. Maeck (Parry Sound): That doesn't say much for the member for Ottawa Centre.

Mr. Laughren: The leader of the Liberal Party (Mr. R. F. Nixon) has his feet in the air, firmly planted.

Mr. Carruthers: It is difficult for me to contemplate that a member of this House, and supposedly a professional teacher, would yell at a minister of the Crown such phrases as: "We hate your guts, Wells." And that will be in one of the letters that I'll send out.

Hon. Mr. Winkler: A great teacher that is.

Hon. Mr. Stewart: That is some teacher.

Mr. Carruthers: Do members opposite really represent the teaching profession?

Mr. Cassidy: No, we represent the people of this province.

Mr. Carruthers: And yet that appears to be the language of the member for Port Arthur; and the professional language of the member for Nickel Belt. In closing his speech, he stated: "My prayer for you tonight, Mr. Wells, is for the sewer to back up into your breakfast."

Mr. Lawlor: He's a very elegant fellow.

Mr. Shulman: He has been poorly educated.

Mr. Foulds: On a point of order, Mr. Speaker.

Mr. Speaker: Order.

Mr. Carruthers: If that's the type of teacher we have been producing, we'd better take a look at our training facilities.

Mr. Foulds: The member for Durham doesn't have to worry.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Cassidy: Didn't the member hear the 30,000 teachers say today to the Minister of Education: "We don't trust you"?

Mr. Carruthers: That's a little different than saying, "We hate your guts."

Mr. R. F. Nixon: It would certainly be great to have a full-time job.

Mr. Carruthers: All right. The one thing that bothers me, Mr. Speaker, and which I'm really concerned about, is the group which the Leader of the Opposition represents.

Mr. R. F. Nixon: I'm curious.

Mr. Carruthers: It concerns me very much what he has chosen to do in connection with this bill.

Mr. Foulds: It is a good thing for the teachers that the member has retired.

Mr. Ferrier: Who did we side with?

Mr. R. F. Nixon: Who wrote this for the member? He is going to have to get a lot of new stuff.

Mr. Roy: Is the speech going to be long?

Mr. Carruthers: We have had a lot of speakers. We've tried to listen carefully, but we couldn't get very much out of them.

Hon. A. Grossman (Minister of Revenue): Because there has been nothing there.

Mr. Ferrier: We can't be responsible for the member's inabilities.

Mr. Carruthers: But it is difficult for me—

Mr. Foulds: That's true. We know that.

Mr. R. F. Ruston (Essex-Kent): It's difficult for us too.

Mr. Carruthers: It's difficult for me, as a former school teacher—

Mr. S. Lewis (Scarborough West): Thank God it's "former."

Mr. Carruthers: —to understand the actions of members of the profession who make speeches of that type.

Mr. Lawlor: Hasn't the member found the modern world rather puzzling? It's a kind of bedazzling universe.

Mr. Shulman: A kind of "Future Shock."

Interjections by hon. members.

Mr. Carruthers: Well, we have heard a lot about teacher-pupil ratios, about salaries and about teaching conditions in terms of employment—

Mr. R. F. Nixon: And ceilings, and voided contracts—all those things.

Mr. Carruthers: —but it is difficult for me, as one who taught in a rural school for a few weeks—

Mr. Foulds: I have too.

Mr. Shulman: I would hate to have been in his class.

Mr. Carruthers: It is difficult for me to understand the pupil-teacher ratio. I taught every grade from 1 to 10—

Mr. Shulman: They were all in the same room at the same time, weren't they?

Mr. Foulds: And he taught all the subjects.

Mr. Carruthers: That's right. I had a class of 42. And I often had to sweep the floor and light the fire!

Mr. Roy: How long ago was that?

Mr. Shulman: Does the member think they should return to that system?

Mr. Cassidy: It was this government that took away the one-room school.

Mr. Lawlor: And all his pupils turned out to be Santayanas!

Mr. F. Drea (Scarborough Centre): Mr. Speaker, I can't hear.

Mr. Deans: Doesn't the member know how lucky he is? Would he like to sit over here? I can hear.

Interjection by an hon. member.

Mr. Carruthers: In my time I enjoyed that—

Mr. Lawlor: Bring back the strap!

Mr. Carruthers: Oh no. Let's just do a little restructuring, eh? The minister has already set us on the path to a little more stability, and I am very pleased to note it.

Mr. Roy: We have seen evidence of it today.

Mr. Carruthers: Mr. Speaker, education in this province is going to cost the taxpayers some $1,374,000,000 in 1973. In the light of this figure, the opposition's suggestion that ceilings on educational costs be lifted should undergo very careful scrutiny.

Mr. Roy: The Minister of Health (Mr. Potter) wasted $100 million last year. Doesn't the member worry about that?

Mr. Carruthers: The member for Ottawa East is the last man who should say anything—the last man—

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Carruthers: —after making the statement he did. That member told the Minister of Education that this was exactly what the parents in his area wanted.

Mr. Roy: No, no, I didn't.

Mr. Carruthers: Oh yes, he did.

Mr. R. K. McNeil (Elgin): That was two weeks ago. He has changed his mind since then.

Mr. Carruthers: He has changed his mind, and he must have changed his leader's mind too.

Mr. McNeil: He will be different next week.

Mr. Carruthers: I think they will change their minds by tomorrow.

Mr. Roy: We will never support this bill.

Mr. Carruthers: Mr. Speaker, it has been stated—and I think it bears to be repeated—

Mr. Sargent: The member is a hatchetman.

Mr. Carruthers: —that in 1954 the Ontario School Trustees' Council and the Ontario Teachers' Federation reached an agreement whereby that council agreed to grant individual resignations on Dec. 31—

Mr. Cassidy: It was an understanding, not an agreement; and it was before the present Premier became Minister of Education.

Mr. Carruthers: Yes, on the condition that the Ontario Teachers' Federation would not urge its members to resign en masse because the hon. member knows as well as I do that mass resignations means a strike.

Mr. Cassidy: That was 19 years ago. Things have changed.

Mr. Carruthers: Then they decided to change their minds without notifying anybody, in 1972, and announced it in October, 1973.

Mr. Cassidy: The decision was made at a public convention. The minister knew for a year.

Mr. Carruthers: But management didn't have any balancing power, a lockout.

Mr. Lewis: Management? That's just what the member for Carleton said we shouldn't be calling them.

Mr. Cassidy: Listen, this government is the management; it could have changed the rules of the game.

Mr. Speaker: Order please.

Mr. Laughren: Well, he is being provocative, Mr. Speaker.

Mr. Carruthers: Again it should be emphasized—and I have emphasized this to my teachers at home; I have cleared up a great deal of misunderstanding, and in the days that lie ahead I want to clear up a lot more—

Mr. J. Riddell (Huron): There's no danger of the member slipping off that seat, is there?

Mr. Carruthers: Oh, no.

Mr. Shulman: The Attorney General (Mr. Bales) is wishing he wasn't here.

Mr. Carruthers: The teachers who wish to resign, and members know this—

Mr. Lewis: The member is not running in 1975, is he?

Mr. Carruthers: —and I talked to some teachers this afternoon—

Mr. Lewis: They are not retiring him, are they?

Mr. Cassidy: We'll retire him.

Mr. Carruthers: Who said I was retiring?

Mr. Lewis: He is going to run again, isn't he?

Mr. Carruthers: I'll be glad to.

Mr. Shulman: We need him.

Mr. Lewis: I was just asking.

Mr. Carruthers: I would like nothing more than to go to the province or the country on this very issue.

Mr. Roy: He should talk to the Premier about that.

Mr. R. F. Nixon: He wants an election on this issue?

Mr. Lewis: He will be sorry if he is elected.

Hon. Mr. Davis: The opposition would be in trouble if that is the problem.

Mr. Lewis: I may be bad, but not that bad.

Mr. Carruthers: Mr. Speaker, I don't wish to prolong this debate and I'm going to close it out.

An hon. member: He can take his time.

Mr. Cassidy: I took four hours; he can take two.

Mr. R. F. Nixon: The Lord will protect us.

Mr. Carruthers: We have some 183,000 pupils involved in the 16 school districts and in acting on behalf of the students and parents the government had three choices, in my opinion.

Mr. E. W. Martel (Sudbury East): Oh, crap!

Mr. Carruthers: I understand there have been two more settlements to date.

Hon. Mr. Grossman: There's another teacher. The member for Ottawa East can put his feet up on the desk.

Mr. Carruthers: Yes, let him put his feet up on the desk. The hon. members wouldn't—

Mr. Ferrier: The member is filibustering this bill.

Mr. Speaker: Order.

Interjections by hon. members.

Mr. Speaker: Could we get back to the bill?

Mr. Martel: Oh, law and order now.

Mr. Cassidy: Is he in order, Mr. Speaker?

Mr. Carruthers: The government had three choices. It could have done nothing and let the boards and teachers settle the issue at the local level, and this could have resulted in a significant loss of educational opportunity to the students and created a great deal of unrest and bitterness.

It could have taken action on Jan. 1, but by the time arbitration boards were established many weeks of school time would be lost. This was the case in Windsor and in Timmins.

Mr. R. F. Nixon: The member for Renfrew South (Mr. Yakabuski) is next.

Mr. Carruthers: It took the positive stand, and a very honest stand, and introduced legislation of a temporary nature in Bill 274 in order to prevent the schools of this province being closed during the month of January, and maybe for some weeks following.

Mr. Martel: The member should quit while he is ahead.

Mr. Carruthers: I am quitting right now.

Hon. Mr. Davis: Maybe he is ahead.

Mr. Carruthers: I am supporting Bill 274, yes. May I make one last request?

Mr. Martel: Go ahead, be my guest.

Mr. Cassidy: Go ahead, plead with us.

Mr. Carruthers: We on this side of the House have listened to the opposition very carefully

Mr. Roy: I want to take notes, go slowly.

Mr. Carruthers: This is a very serious matter.

Mr. Martel: The government's never considered it serious.

Mr. Carruthers: I humbly and respectfully request the hon. members to give the Minister of Education a good hearing tonight when he gets up on his feet.

At least they can show that much respect, even as former teachers.

Mr. Martel: No way.

Interjections by hon. members.

Mr. Carruthers: Thank you, Mr. Speaker.

Mr. Martel: When he talks about mob rule by the teachers, no way.

Mr. R. D. Kennedy (Peel South): Mr. Speaker—

Mr. Ruston: This is going to be a filibuster by the looks of it.

Mr. Kennedy: Possibly the filibuster is over. I don't know how else to describe the remarks from the opposition as anything other than that.

Mr. R. F. Nixon: They are all preaching for a call. They want to be Minister of Education.

Hon. Mr. Grossman: Watch it, Buster.

Mr. Kennedy: Mr. Speaker—

Mr. Cassidy: The job is open, we know that.

Mr. Kennedy: I really hadn't intended to make any remarks, but with reference—

Mr. Cassidy: Then don't bother.

Mr. Kennedy: I want to try to bring some intelligence to that side of the House. Occasionally we get a call that we must bring salvation or make some effort in that direction.

Interjections by hon. members.

Mr. Cassidy: Then sit down.

Mr. Foulds: Being No. 2 one has to try harder.

Mr. Shulman: We heard the member's predecessor and we agree with him. Go ahead.

Mr. Kennedy: I thought, regarding our own area and the teaching situation as I know it, and this situation as I have heard it—

Mr. R. F. Nixon: That is Peel. That is the Thomas L. Kennedy Collegiate. Are the teachers all out there?

Mr. Kennedy: That is Peel. In this debate, which has been fanned by a most confused Liberal Party, and of course the irresponsible NDP has thrown gasoline on it as we went along.

Interjections by hon. members.

Mr. Kennedy: That's for real.

Interjections by hon. members.

Mr. Kennedy: Mr. Speaker, on a serious note—

Interjections by hon. members.

Mr. Cassidy: Even the minister is embarrassed by that comment.

Mr. Kennedy: I wouldn't think so, Mr. Speaker, on a serious note, it is my position—

Mr. Roy: Yes, be serious now.

Interjections by hon. members.

Mr. Kennedy: Well, it is time somebody was. Those people opposite haven't been since this debate started.

One hundred and seventy-five thousand pupils—

Mr. Roy: He should have read his speech once more.

Interjections by hon. members.

Mr. Kennedy: —and some 7,500 teachers should not be denied their schooling; and I personally, as we all do, have a very deep regret that it has not been possible for the teaching staffs and the boards to settle their differences.

Mr. Cassidy: We regret the ceilings, too.

Mr. Kennedy: We weren't talking about the ceilings. We regret the situation.

Mr. Cassidy: That is why they couldn't settle.

Interjections by hon. members.

Mr. Ferrier: The government said it was all housekeeping legislation.

Mr. Kennedy: Mr. Speaker, the government would be remiss in its duty if we did not deal with the problem and deal with it now. The students and the parents are entitled to know where they stand.

Interjections by hon. members.

Mr. Kennedy: This government cannot bury its head in the sand as these people opposite have done.

Mr. Roy: And it will be buried with this bill.

Interjections by hon. members.

Mr. Kennedy: We can't go on the course of brinkmanship, or even over the brink, as the people across in the NDP ranks are doing.

Interjections by hon. members.

Mr. Kennedy: There is an overriding responsibility to the children—

Mr. Foulds: When you have your ear to the ground, that leaves another part of your anatomy in a very vulnerable position.

Interjections by hon. members.

Mr. Kennedy: Quiet. I'll get to the member in a minute.

Hon. Mr. Grossman: How did he ever keep a classroom in order? He keeps interrupting all through the speeches.

Mr. Kennedy: I was going to ask that question, what did he teach his students?

Hon. Mr. Grossman: Nothing.

Interjections by hon. members.

Mr. Kennedy: Well, Mr. Speaker, as a former trustee I feel that I do have some measure of knowledge about board-teacher relations.

Mr. Lewis: Oh, they are all former trustees.

Mr. Cassidy: They will know more as former MPPs.

Mr. Kennedy: I've worked with teachers.

Mr. Roy: The member should not speak on this. He has a conflict of interest.

Mr. Lewis: They don't like working with teachers.

Mr. Kennedy: We had a very good relationship. We didn't always have complete agreement, but there were objective, sincere and frank discussions over some eight years when I was on the board.

Mr. Cassidy: Were the ceilings in force then?

Interjections by hon. members.

Mr. Kennedy: There was good faith on both sides.

Interjections by hon. members.

An hon. member: It was participatory democracy.

Mr. Kennedy: Well it isn't an issue and—

Mr. Cassidy: Was Bill 274 in force then?

Mr. Kennedy: —I would say, Mr. Speaker, the quality of education in Peel, and I would say in all parts of this province, is unexcelled anywhere. I'd say this, to—

Hon. Mr. Davis: We're not going to send their children to Manitoba for an education.

Interjections by hon. members.

Mr. Lawlor: Or even Germany. Or the Scandinavian countries.

Mr. Cassidy: Or even England.

Mr. Kennedy: I'd say this, too. It has only been achieved through the dedication and the genuine interest of our teachers and our boards of education, supported by the taxpayers and the parents.

Interjections by hon. members.

Mr. Kennedy: Now we had on-going discussions between board and teachers over the years.

Mr. Cassidy: Before the ceilings.

Mr. Kennedy: It wasn't a crash sort of thing that occurred once budgets were set, or just prior to budgets.

Mr. Cassidy: No, but that was before the ceilings.

Mr. R. G. Hodgson (Victoria-Haliburton): Would the members opposite take them off?

Mr. Lewis: Yes.

Mr. Kennedy: And these negotiations touched on not only salaries and other academic matters but business matters as well—

Mr. Martel: Teachers have never been involved in academic negotiations.

Mr. Cassidy: And that was before Bill 274.

Hon. Mr. Grossman: Will the member for Lakeshore slip the member for Ottawa Centre a Mickey Finn or something?

Mr. Speaker: Order.

Mr. Kennedy: —and this practice is still followed, and I'll come to the remarks of the member for Sudbury East.

Mr. Martel: Well, I hope he does.

Mr. Kennedy: He said there is no input by teachers—

Mr. Martel: And I'm right.

Mr. Kennedy: —and he is wrong and I told him so over the last five years.

Interjections by hon. members.

Mr. Kennedy: That may apply in the member's case, and I could understand if nobody invited his opinion as to what was good for education, but they ask us. It may not have happened in Sudbury, but it happened in Peel.

Interjections by hon. members.

Mr. Kennedy: There was opportunity for teacher input and there still is. This is still going on.

Mr. Martel: Go ask the teachers if they've had an input.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Kennedy: It depends on the teachers as I just said.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Kennedy: Some don't qualify.

Hon. Mr. Grossman: That's the kind who put their feet on the desk.

Mr. Martel: No one in the federation will agree with the member.

Mr. Speaker: The member for Sudbury East had his opportunity to speak.

An hon. member: Let him take his feet off the desk.

Mr. Martel: Well I can't stand the nonsense.

Mr. Speaker: Then the hon. member might leave the chamber.

Some hon. members: Oh, oh.

Mr. Kennedy: The nonsense is within the member's own ranks.

Hon. Mr. Davis: The member is testing our patience.

Interjections by hon. members.

Mr. Kennedy: The teachers and boards, Mr. Speaker—

Mr. Martel: They've been talking about education for years.

Interjections by hon. members.

Mr. Kennedy: —have worked hard, with conscientious effort, to achieve the quality of education that I've mentioned. And our chil-

dren Mr. Speaker, are the beneficiaries; and through our children we all are, as they grow older and take their place in the work force.

I say too, that the work of the teachers in developing our children is one of the reasons this province is enriched and this country is enriched. I have to say my experience in association with teachers, with colleagues on the board and the administration—

Mr. Ferrier: The member even has the Minister of Education upset.

Mr. Kennedy: —has added a great deal to my understanding and appreciation of the value of our educational system. I can say, Mr. Speaker, in my relationship with the teachers that I know, I can only say in sincerity that I have an admiration for them.

Mr. Roy: Good, we would never have believed it.

Mr. Martel: The member has a funny way of demonstrating that admiration.

Mr. Kennedy: Indeed I have—

Mr. Speaker: Order.

Mr. Kennedy: —and that is one of the things that saddens me about the situation we find ourselves in today.

Mr. Roy: No problem at all.

Mr. Kennedy: Now I know there are a few teachers who don't fit the specs and don't fall into the category of the revered teachers that we all like to think about.

Hon. Mr. Grossman: Like teachers who keep their feet on the desk.

An hon. member: He led his party down the garden path to ruin.

Interjections by hon. members.

Mr. Kennedy: Over the years the teacher in the community was a revered individual and was on a pedestal, and if this is slipping, I am very, very sorry and I am grieved over it.

Mr. Roy: The government has shown inconsistency.

Mr. Kennedy: I think, Mr. Speaker—

Hon. Mr. Davis: Not on this bill.

Mr. Kennedy: —most of our teachers fit the category of conscientious, dedicated, interested people and they share the success of our students, and they share it with pride and a sense of achievement.

Mr. Foulds: For two sentences in a row the member is right!

Mr. Kennedy: What would the member teach his children?

Interjections by hon. members.

Mr. Shulman: When is the member going to come to the "however"?

Hon. Mr. Grossman: Sentences don't come in a row, only fences, and the member should know that.

Mr. Kennedy: The sentence I could prescribe there might be appealed. Now, Mr. Speaker, this bill doesn't directly affect our area. Like many others in the assembly, I have received telegrams and telephone calls.

Interjections by hon. members.

Mr. Foulds: He is pedantic.

Mr. R. F. Nixon: The member's teachers think it affects our area.

Mr. Kennedy: I am convinced, as I think members perhaps are on all sides who care to listen, that there's a misunderstanding about the contents of this bill—and certainly the other one.

Interjections by hon. members.

Mr. Kennedy: But Bill 275 could be reintroduced next year—

Mr. Lawlor: He can see the handwriting on the wall.

Mr. Kennedy: —and I would like to make one effort at least on a couple of points—

Mr. Lawlor: The hardnosed and even perverse attack on the teachers by Tory members.

Mr. Kennedy: —because certainly the opposition has done its best to distort and confuse both the public and the teachers.

Mr. S. B. Handleman (Carleton): There should be TV cameras in this place.

Mr. Kennedy: The bill before us says, in effect, that teachers of 16 boards cannot withdraw their services after the new year. There is still a period of time until the end of the month—

Mr. R. F. Nixon: Where contracts permit it.

Mr. Kennedy: —for consultation and mediation, and if boards and teachers are successful in their efforts, the bill becomes redundant.

Mr. Cassidy: If not, they will be forced to work against their will.

Mr. Kennedy: Now, I would like to suggest that teachers not read more into this bill than is there—aided and abetted by an irresponsible opposition. Some day when I write my memoirs, I am going to re-read Hansard.

Mr. Martel: They sure won't be a best seller.

Mr. Kennedy: They will be a best seller if I quote the member for Sudbury East a couple of times, I tell him that.

Interjection by an hon. member.

Mr. W. Newman (Ontario South): The member for Ottawa East has caused all the trouble in his party and it's time he was a little quieter. He has split his party wide open.

Interjections by hon. members.

Mr. Speaker: Order. Order, please.

Mr. Kennedy: I have asked my colleagues to settle down so we might during the course of the evening find which position the Liberals have finally taken.

Mr. Martel: The member will never know.

Mr. Roy: Oh, I am sorry the member missed that.

Mr. Kennedy: Numerous speakers, Mr. Speaker, have mentioned the subject loss of civil liberties. Well nobody really looked that up in the dictionary. I did my own research; I went to the Canadian English dictionary. Now listen!

Interjections by hon. members.

Mr. Kennedy: Here is what civil liberty is. "Civil liberty: The right of a person to do, think and say what he pleases—"

Mr. Shulman: Does it say anything about not being able to resign?

Mr. Kennedy: "—as long as he does not harm anyone else or break established laws."

Mr. Martel: It was not established law.

Mr. Shulman: This is changing things *post factum.*

Mr. Kennedy: I didn't say it was. I said that is a definition of civil liberties.

Mr. Speaker: The hon. member for Sudbury East has had his opportunity to speak.

Interjections by hon. members.

An hon. member: We don't have to look it up in the dictionary.

Mr. Kennedy: Do members opposite want a caucus for a minute on their definition?

Mr. Speaker: Order.

Mr. Kennedy: Go ahead and caucus; we can wait.

An hon. member: Members must make up their minds.

Mr. Ruston: We wouldn't want to miss anything the member says.

Mr. Kennedy: So that is the definition. One doesn't intrude on the rights of others, in other words.

Hon. Mr. Davis: Are some of the hon. members opposite now going to vote with us on second reading?

Interjections by hon. members.

Mr. Kennedy: Mr. Speaker, civil liberties therefore are a two-way street. The bill involves the rights of all these parties by that definition—teachers, boards, students. If it possibly causes loss of rights, it also protects rights. I suggest, Mr. Speaker, that that aspect might be stricken from the debate, because I think they cancel each other out. I do not think it is a valid position to take with respect to this bill. I say the teachers are entitled to fair contracts; but the students, too, are entitled to an education.

An hon. member: Hear, hear!

Mr. Kennedy: Now the other thing we are told is that teachers cannot resign legitimately. They can legitimately resign.

Mr. Ferrier: The member said they couldn't resign.

Mr. Kennedy: Oh no I didn't.

Hon. Mr. Stewart: Mischievous misinformation. That is what members opposite thrive on.

Mr. P. J. Yakabuski (Renfrew South): They were delighted when the member for Sudbury East resigned a few years ago.

Mr. Kennedy: Mr. Speaker, I've only read a couple of short, short lines and already they misunderstand me.

Hon. Mr. Grossman: On the contrary, the problem is they understand!

Mr. Kennedy: Just for clarification I will reread them. Teachers have been told they cannot legitimately resign; okay? They can legitimately resign.

Mr. Roy: Right.

Mr. Kennedy: The bill refers only to mass resignations as a means to strengthening their negotiating position; that should set that one at rest.

Interjections by hon. members.

Mr. Cassidy: It is just resignation by a number of teachers.

Mr. Kennedy: Well then; what was also mentioned before were the ceilings.

Mr. Speaker: Order, please.

Mr. Kennedy: This is an important point. I believe from my experience and I readily admit I don't know the circumstances with all 107, or whatever number of boards there are. I know somewhere in the 90s they are settled. I believe it should be possible to settle within these limits, and I wonder have the boards really tried. Is it an ongoing thing that has brought them to this situation in 1973? I don't know.

Mr. Roy: It has been going on for a year and a half now.

Mr. Kennedy: I don't know all the details, but possibly a new look or a new examination of this—

Mr. Martel: A new awareness it's called.

Mr. Kennedy: A new awareness, if the member likes that. It is the only thing I can agree with him on tonight. We will have a new awareness if it will help.

Mr. Foulds: A new awareness of oppression.

Interjections by hon. members.

Mr. Kennedy: Not much new comes from the member; it is the same old line.

Interjections by hon. members.

Mr. Kennedy: But I know, too, that within those ceilings are built-in increments and some promotions which enable salaries to be boosted. Now in our country, in Peel, the ceilings were not reached in these settlements. They couldn't be reached because of the impact it might have had on the mill rate.

I just want to read in, quickly, Mr. Speaker, some data.

Mr. Ferrier: Don't read too long or the member will be out of order.

Mr. Kennedy: I won't read too long.

Mr. Laughren: The member already has.

Mr. Kennedy: It would be to the member's benefit if I could, I think.

These figures are for the public schools in 1971—that must be when the ceilings started, 1971; that is the first year I have. Ceilings were $574 and change, actual expenditures $545—$29 under; 1972 ceilings $604, actual expenditures $594; 1973 ceilings $663, expenditures $652. The 1974 ceiling is $719.

Mr. Shulman: Sounds as if the ceilings were unnecessary.

Mr. Kennedy: Well, we have an excellent board in our area and very good teachers, and they get on with the job within the terms of the budget.

Mr. Shulman: Were any of them out today? Are the member's schools open today?

Mr. Kennedy: The secondary ceiling in 1971 was $1,105, actual expenditures $1,084, so that is $21 difference; 1972, $1,148 ceiling, $1,112 actual; 1973, ceiling $1,168, actual expenditure $1,148, some $20 difference. The ceiling set for this year—

Mr. Shulman: Mr. Speaker, would the hon. member accept a question?

Mr. Kennedy: Oh yes, I need a drink, I need a rest. It's water too.

Mr. Shulman: I just want to ask, in view of the very wonderful relationship in the member's riding, did any of his teachers march out today?

Mr. Kennedy: What, were they here?

Mr. Shulman: I am asking the member whether he was aware whether his teachers were out today?

Mr. Kennedy: Represented today?

Mr. Shulman: Out; out of school.

Mr. Kennedy: Oh yes, yes. I haven't got all the details. But that really isn't pertinent.

They intended to, and I haven't had any late reports. I would think they were out.

Hon. Mr. Davis: My children were there for a while.

Mr. Kennedy: The Premier's were in. I think it is probably typical across the area here. They were ordered out. They belong to the various teacher associations.

Mr. Cassidy: They were ordered out, is that what the member said?

Mr. Kennedy: I'll take the question as notice and I'll get all the statistics.

Mr. Cassidy: To say that they were ordered out is ridiculous.

Mr. Kennedy: But I wanted, Mr. Speaker, to get on and just say the ceilings this year are $719, which is up $37 and $19, that is about $56, in the elementary schools this year over last. In the secondary schools it went from $1,168 to $1,252—around seven to eight per cent.

I don't, as I said, understand the financial difficulties of these 16 boards, but I understand they are in financial straits anyway and I believe some of them are much higher in the grant structure than the one I am familiar with.

Mr. Ferrier: Talk to the Minister of Education about that.

Mr. Kennedy: So anyway, I put those points in to show that I believe ceilings are not really a legitimate complaint, certainly in our area, and I think it must be true and applicable across most of the province; 95 or so are settled.

Mr. Shulman: Why does the the member think his teachers walked out?

Hon. Mr. Davis: Not because of the ceilings.

Mr. W. Newman: The same reason the member for High Park wasn't in the House this afternoon.

Mr. Kennedy: I only had an eight-minute speech here when I started, Mr. Speaker.

An hon. member: Filibustering.

Mr. Cassidy: Come on, tell us about Streetsville as well.

Mr. Kennedy: I wanted to comment on a couple of comments of the opposition. I don't think they can go unchallenged. I am not going to criticize the Liberals' position on this because they don't have one.

Interjections by hon. members.

Mr. Kennedy: That's right. I am not going to comment on it because they don't have a position.

Several members have said that the official opposition is united. I don't know when this unity came about after first reading. If it has occurred since then we weren't informed, I am afraid.

Hon. Mr. Grossman: Or it is not apparent.

Mr. Kennedy: It is not apparent.

Mr. M. Gaunt (Huron-Bruce): Sorry about that, we forgot to tell the members opposite.

An hon. member: They are wandering all over the place.

Mr. Kennedy: But I really do feel the official opposition is to be soundly criticized for not taking a position and fulfilling its responsibilities to the people of Ontario. It waffled all around.

Interjection by an hon. member.

Mr. Kennedy: And I don't think, Mr. Speaker, this issue permits members of the House to sit on the fence. Did the members ever see a row of starlings? They sit on a telephone wire and when they get a little fractious one will hop up and squawk and flap its wings and then move to a new position and settle down a little bit. Then another does the same. That is just what the Liberals have been doing over the last week. Then they fly away, sometimes in the same direction and sometimes not.

Interjections by hon. members.

Hon. Mr. Grossman: The Waffle wing of the Liberal Party.

Mr. Kennedy: There were a couple of observations from the Socialist ranks and my colleague and knowledgeable friend, who has made such a contribution here tonight, the member for Durham, touched on these.

Mr. Roy: Which one?

Mr. Kennedy: Well, I think it's Durham.

Mr. Cassidy: The member underestimates his colleague's contributions, surely.

Mr. Kennedy: We don't underestimate those of the member for Ottawa Centre. I think the NDP has some very strange, in

fact, alarming beliefs of what should be taught to the children in our schools.

Mr. Martel: Right on.

Mrs. M. Campbell (St. George): That comes next.

Mr. Kennedy: It's in Hansard; they're the ones who said it. The hon. member for Durham mentioned these things. The hon. member for Port Arthur, I don't know what he teaches his youngsters. I'd like to know.

Hon. Mr. Grossman: They put their feet up on the desk.

Mr. Kennedy: And the member for Nickel Belt is the same. And they seem to be, perhaps the Minister of the Environment (Mr. Auld) could use them in the—

Interjections by hon. members.

Mr. Kennedy: —installation of the services which we use in these built-up urban areas. I won't say more about that. But there was a very interesting comment that bothered me, from the hon. member for Cochrane South.

Mr. Cassidy: Better watch out! The hon. member for Port Arthur is a Thespian!

Hon. Mr. Grossman: He doesn't sound like one. Mind you, he looks normal. I'm watching his teacher's English from now on!

An hon. member: He called the member a homo sapien!

Mr. Kennedy: The hon. member for Cochrane South said, that "while education did not function"—he's speaking of a period when there was a withdrawal of services.

Mr. Foulds: Strike!

Hon. Mr. Grossman: Strike! Call it what it is!

Mr. Kennedy: He said:

> While education did not function during this period, resulting in some tension and anxiety in the community, nevertheless, these students finished their year with a full education and they've gone to the next year of the schools, or they've gone to the universities or community colleges and taken their place without having suffered any ill effects.

Well, I can bet you there would be a little bit of "tension and anxiety."

> At the same time they had the educational experience of being directly or indirectly involved in a community labour dispute.

Mr. Ferrier: That is what education is all about!

Mr. Cassidy: Well, those teachers got educated today, thanks to the government!

Mr. Stokes: He makes education sound indecent!

Mr. Kennedy: Mr. Speaker, I would need to agree with my colleague, the hon. member for Scarborough Centre, when he says that "following a strike, human relations are never quite the same." So, the hon. member for Cochrane South thinks a strike is a good experience and presumably should be put on the curriculum as an educational exercise.

Mr. Laughren: Did someone write this speech for the member?

Mr. Yakabuski: Oh, he is not a sincere Socialist.

Hon. Mr. Davis: Does he want it as a credit course, or as an option? Option? Not a credit course?

Mr. Ferrier: The member doesn't even know what education is.

Hon. Mr. Davis: Does he want it as a grade 13 credit or confine it to grade 12?

Mr. Ferrier: The people in my riding are quitting—

Mr. Kennedy: Well, if he thinks a strike is a good thing—

Mr. Ferrier: Sure they are.

Mr. Kenendy: If members opposite think that a strike is a good experience, a good thing for the education of our children—

Mr. Cassidy: Sure.

Mr. Kennedy: Does the member think it is?

Mr. Cassidy: It's a real life experience, not like sitting in this House.

Hon. Mr. Grossman: That is a real life experience.

Mr. Kennedy: Well, then, does he think the violence that sometimes is associated with a strike makes it that much better?

Hon. Mr. Grossman: That's a real life show.

Mr. Ferrier: He is maligning the member.

Interjections by hon. members.

Mr. Kennedy: Does the member think that makes them more learned, to have riots and violence?

An hon. member: How about teaching them something about highjacking? Highjacking is a real good experience.

Mr. Kennedy: I think, Mr. Speaker, the people of Ontario, teachers and students, would be very interested in the philosophy opposite.

Hon. Mr. Grossman: They'll be told about it, too.

Interjections by hon. members.

Mr. Kennedy: Those are inflammatory remarks. I think the people would be concerned to know that the NDP advocates such incidents and such a curriculum.

Mr. Cassidy: Does the member believe we advocate violence?

An hon. member: Let's go back to the teachers.

Mr. Kennedy: I go back to the teachers, as I know them, Mr. Speaker, and I feel they would be embarrassed and they would be heartsick to know that a member or members of the NDP and the hangers-on associated with them would advocate such action.

Hon. Mr. Davis: Oh, they are not surprised.

Mr. Cassidy: Is any strike ever justified then?

Hon. Mr. Grossman: No wonder we are having trouble over at the island since the member for Ottawa Centre went there to live. We were coming along fine.

Interjections by hon. members.

Mr. Ruston: Now he will kick them all out.

Hon. Mr. Grossman: If the hon. member for Ottawa Centre stayed away, my constituents would be safe there.

Mr. Cassidy: Now I know who turned my gas off on Friday night and made me freeze.

Hon. Mr. Grossman: He causes trouble wherever he goes.

Mr. Kennedy: Mr. Speaker, despite our difficulties now we should not overlook the fact that we have a great province and country that has been developed by hard work and dedication and through respect of the democratic process.

Mr. Ferrier: We have got a poor government.

Mr. Cassidy: And it is all going down the drain, thanks to this government.

Mr. Kennedy: I don't think the students will be conned by attempts opposite to create chaos and disrespect for law and order.

Mr. Cassidy: This is the party line that the Minister of Education is too tired to put forward.

Mr. Renwick: How tiresome!

Mr. Kennedy: I feel this sincerely because I know our teachers and I have experience with them as many of our members have.

Mr. Cassidy: We know them, too; we met them all today.

Mr. Kennedy: I know students and parents will respond—

Mr. Sargent: Mr. Speaker, on a point of order.

Interjections by hon. members.

Mr. Speaker: The hon. member for Grey-Bruce has the floor on a point of order.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): No, he doesn't.

Mr. Sargent: I'd like to know from the Premier, Mr. Speaker, just exactly what is going on in this House.

Mr. Speaker: There is no point of order there.

Interjections by hon. members.

Mr. Sargent: Have we got business to talk about? I am going to go home, if not.

Mr. Speaker: There is no point of order. The hon. member for Peel South has the floor.

Interjections by hon. members.

Mr. Ferrier: It is a Conservative filibuster.

Hon. Mr. Davis: Why are we filibustering? The member has got to be kidding.

Interjections by hon. members.

Hon. Mr. Davis: We want to vote.

Hon. Mr. Grossman: Get up and move that vote be taken.

Interjections by hon. members.

Mr. Speaker: The hon. member for Peel South.

Mr. Sargent: Does the Premier know what we are doing?

Interjections by hon. members.

Hon. Mr. Davis: I can only say to the member for Grey-Bruce that we on this side know what we are doing. I doubt very much that he does.

Mr. Sargent: Will the Premier tell me what he is doing?

Mr. Speaker: Order.

Hon. Mr. Grossman: The Premier took the member up on that question.

Mr. Roy: I thought it was a good one. Is the government having a filibuster or not?

Mr. Speaker: The hon. member for Grey-Bruce does not have a point of order. The hon. member for Peel South has the floor.

Interjections by hon. members.

Mr. Kennedy: I am in no hurry.

Interjections by hon. members.

Mr. Kennedy: Before I was interrupted—

Interjections by hon. members.

Mr. Kennedy: No, I am sorry, Mr. Speaker, I misstated that. Before you were interrupted by the hon. member for Grey-Bruce I was saying that the students are not going to be conned by the efforts of a fractious, irresponsible opposition to stir the pot and create chaos and disrespect for law and order.

Mr. Cassidy: Are the teachers irresponsible as well? Tell us that.

Mr. Kennedy: I know this because I know our teachers, many of our students and many of the parents. I am sure, Mr. Speaker, the teachers and boards will respond to the paramount issue to continue uninterrupted classroom teaching.

Interjections by hon. members.

Mr. Speaker: The Attorney General.

Mr. Roy: Who wrote his speech?

Mr. R. F. Nixon: I saw them pass the speech down the row. It's the same speech.

Mr. Ruston: Now we know it's good enough.

Hon. Mr. Davis: Listen, we have been very patient with the opposition.

Mr. Lewis: So the government has. One of the nice things about all these speeches is that there is clause by clause to come.

Hon. D. A. Bales (Attorney General): Mr. Speaker, I didn't realize until tonight that the happy holiday season had really arrived.

Mr. Roy: And the minister is the best evidence of it right here.

Mr. Lewis: As a matter of fact, for some of us it starts tomorrow—and I assume the House will adjourn.

Hon. Mr. Bales: Will it?

Mr. Lewis: I don't know. I imagine there's a certain expectation of it.

Hon. Mr. Bales: Well, pick the date, because the opposition has been keeping it running continuously.

Interjections by hon. members.

Mr. Shulman: The member can speak freely. York Mills is safe.

Hon. Mr. Bales: Is it?

An hon. member: Is that final?

Hon. Mr. Bales: I always want to make sure that York Mills is safe, and I think it is.

Mr. Cassidy: The minister is not so certain now, eh?

Mr. Lewis: My goodness, he feels much more at ease when he's outside the Attorney General's ministry. He's a very charming man when he is free of the strait-jacket.

Hon. Mr. Bales: Oh, no. I'm always the same fellow.

Mr. Speaker, much has been said about the constitutionality of this bill and a great deal has been said about its general legality.

Mr. Cassidy: And the minister was not competent to speak on this outside the chambers, eh?

Hon. Mr. Bales: Well, the Leader of the Opposition sits there, but he flip-flops all over

the place as he so frequently does. He's become very accustomed to doing that.

Interjections by hon. members.

Mr. Roy: Which way did the minister vote on the energy bill? Tell us about that.

Interjections by hon. members.

Hon. Mr. Bales: Mr. Speaker, I want to direct my remarks—

Hon. Mr. Davis: Does the member recall the energy bill?

Mr. Cassidy: He may be embarrassed when the Premier withdraws it.

Hon. Mr. Bales: —to the matters of the legality of this bill, because I'm concerned that there may be an impression created and left with the public which is not justified by the terms of this legislation.

Mr. Roy: This should be good. Tell us about it.

Hon. Mr. Bales: We all know that the Legislature of this province may make laws in relation to contract rights in the province.

Mr. R. F. Nixon: Even retroactively breaking them.

Hon. Mr. Bales: The contract is the most usual or common form of describing relationships between persons, in particular or individual circumstances.

Mr. Lawlor: The government can't set up a new criminal conspiracy out of the blue, and that is what it's trying to do; a brand new criminal conspiracy unknown to the laws of England. That is what the government has done. It hasn't got that power, and the minister knows it.

Hon. Mr. Bales: I beg the member's pardon?

Mr. Lawlor: A brand new criminal conspiracy unknown to the laws of England. That is what the government has done.

Hon. Mr. Bales: Oh no.

Mr. Lawlor: The government hasn't got that power, and the minister knows it.

Hon. Mr. Bales: As I sit here—

Mr. Renwick: No. Oh, the minister is going to have a hard time.

Hon. Mr. Bales: Mr. Speaker, as I sit here opposite the member for Lakeshore—

Interjections by hon. members.

Mr. Lawlor: He can't even set up a civil conspiracy.

Mr. Speaker: Order, please. Order, please.

Hon. Mr. Bales: I feel sorry for the member for Lakeshore sometimes; because the member for Ottawa East—whatever he is—Ottawa Centre; and the member for Sudbury East behind him—

Mr. J. R. Breithaupt (Kitchener): And the yeller.

Hon. Mr. Bales: They yell so loud the member for Lakeshore has to use earplugs, and I'm going to send him a new pair.

Mr. Martel: Is that a Christmas present?

Hon. Mr. Bales: It will be.

Mr. Lewis: That was a withering rejoinder.

Mr. Lawlor: That was a withering rejoinder. I can tell the minister that my years in this chamber has caused me to go deaf.

Hon. Mr. Bales: Mr. Speaker, what this legislation's done—

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. minister has the floor.

Hon. Mr. Bales: —is to effect a statutory amendment to certain contracts between some teachers and their school boards.

Mr. Renwick: And creates a punishable offence with a fine attached to it, which is a criminal offence.

Mr. Speaker: Order, please. Order.

Hon. Mr. Bales: Now, the member for Riverdale is not a judge yet; so just sit quiet.

Mr. Lewis: Oh, the minister is going to have to withdraw that.

Mr. Renwick: That bill is illegal and it is going to be challenged in the courts, and the Attorney General might as well know it.

Mr. Speaker: Order, please. The hon. member had his turn to speak.

Mr. Lawlor: It's the most incredible effrontery and they try to defend it.

Hon. Mr. Bales: Time and time again the courts of this country have held contractual rights to be in the domain of the provincial Legislature—

Mr. Renwick: But not criminal law.

Hon. Mr. Bales: —and that provincial legislation passed pursuant to section 92(13)—

Mr. Lewis: We know that. I conceded it in the debate, for heaven's sake.

Hon. Mr. Bales: —of the British North America Act where necessary—

Mr. Renwick: But not criminal law.

Hon. Mr. Bales: —be aimed at a particular right or interest.

Mr. Renwick: But not criminal law.

Mr. Roy: The Attorney General shouldn't emphasize the obvious.

Mr. Speaker: Order, please.

Hon. Mr. Bales: Mr. Speaker, this bill is, in my opinion, clearly within the legislative competence of this House.

Mr. Renwick: It is not within the minister's competence. If he is Attorney General and he is saying that, he is incompetent.

Mr. Speaker: Order, please.

Hon. Mr. Bales: Mr. Speaker, looked at in simple terms, a contract is an expression of mutual intention of the parties and except in unusual circumstances the parties are free, subject to an overriding public interest, to arrive at those terms which seem to them to be the most appropriate.

Mr. Lawlor: Suppose he said the opposite? What would happen?

Mr. Renwick: And subject to a $500 fine for every day of contravening the law.

Hon. Mr. Bales: This government, as have others in this country on many occasions in the past—

Mr. Renwick: The Solicitor General (Mr. Yaremko) could do better than this.

Mr. Speaker: Order, please.

Hon. Mr. Bales: —stepped in to avoid or alter provisions of contracts where the applications of those contractual rights would be unconscionable or contrary to the public interest.

Mr. Lewis: This is very superficial.

Mr. Sargent: Why does he have to read it?

Hon. Mr. Bales: Mr. Speaker, there are lots of examples: The Unconscionable Transactions Relief Act; the minimum wage legislation; employment standards legislation; debt adjustment legislation; equal pay for equal work legislation; and so on.

Mr. Renwick: What about the Rights of Labour Act?

Mr. Cassidy: There are no fines in that Act.

Hon. Mr. Bales: These are all situations in which the individual's freedom to contract is limited by legislation which has both prospective and retrospective effects.

Mr. Renwick: What about section 483 of the Criminal Code?

Hon. Mr. Bales: Such legislation has turned back interest rates in existing contracts, modified vacation and overtime work provisions, all of those in existing agreements.

Mr. Renwick: What about the Summary Convictions Act?

Hon. Mr. Bales: They have equalized male and female wage rates notwithstanding contractual provisions to the contrary.

Mr. Lawlor: That is perfectly legitimate.

Hon. Mr. Bales: Mr. Speaker, during the course of this debate, much has been said about what is reputed to be the retroactive effect of this bill.

Mr. Renwick: It never created the offence of criminal conspiracy in this province.

Mr. Lawlor: Has the minister looked at criminal law respecting trade unions and conspiracy?

Interjections by hon. members.

Mr. Speaker: Order, please. The Attorney General has the floor.

Mr. Sargent: Why should he have order? No one else did.

Mr. Renwick: He doesn't understand it.

Interjections by hon. members.

Hon. Mr. Lawrence: The member doesn't know what he is talking about.

Mr. Lewis: But he is right.

Hon. Mr. Bales: Mr. Speaker, I can't appreciate the logic underlying those kinds of remarks. The bill before us deals with certain resignations which have not, as yet, been given effect to.

Mr. Lawlor: The Attorney General is putting the law on the pillory.

Hon. Mr. Bales: Indeed, by their very terms, they can't be acted upon until Dec. 31.

Mr. V. M. Singer (Downsview): Author!

Hon. Mr. Bales: How legislation which deals with resignations which have not come into effect or which cannot become effective until a future date, can be considered as retroactive is clearly beyond me.

Mr. Cassidy: No, because they had to be submitted by the end of November.

Hon. Mr. Bales: Mr. Speaker, if we had in fact waited until the new year, until 1974, to act in respect of these resignations after—and I repeat that, after—they had become effective, I could understand some of the objections but we have not.

Mr. Lewis: This isn't tenable. I can see that's not tenable and I have only had six months in law school.

Hon. Mr. Bales: We have before this House a bill that seeks to nullify certain colourable resignations before those resignations became effective.

Mr. J. E. Bullbrook (Sarnia): Why colourable?

Hon. Mr. Bales: Mr. Speaker, this bill makes the position of this government in respect of these resignations completely clear.

Mr. Bullbrook: Why does he say they are colourable?

Mr. Singer: Now he is departing on a very long frolic of his own.

Hon. Mr. Bales: It does so in advance of the effective dates and before anyone has acted in accordance with them. Those who would argue that such a position or the legislation giving effect to that position is retroactive, in effect, simply do a disservice to the English language.

Mr. Lewis: In the shuffle they are going to give the Attorney General the Ministry of Correctional Services after this speech.

Hon. Mr. Bales: Mr. Speaker, looking at the terms of this contract independently of those overriding considerations of public interest, it is clear it was never the intention of the parties that this term which provides for the severance of individual contracts of employment, for independent and individual reasons, Dec. 31, would be employed in a concerted and collective scheme of mass resignations for coercive purposes.

Mr. Cassidy: The government should have acted as soon as the OTF made its declaration a year and a half ago.

Hon. Mr. Bales: It is only those resignations submitted "in concert or in accordance with a common understanding for the sole purpose of strengthening their negotiation position" at which Bill 274 is directed. The members opposite have continually ignored the fact that a termination of a contract by an individual who is not a party to that scheme is unimpaired by this bill. The evidence that at no time was it ever considered that the sixth clause of the current contract between each teacher and the school board should ever be used as a vehicle for mass resignations is contained in a letter whih the Minister of Education placed before this House the other day. It appears as a matter of record.

Mr. Renwick: The minister can't fashion the terms of a contract that way and he knows it.

Hon. Mr. Bales: In that letter in 1952—

Mr. Renwick: He can't bury the terms of a contract unilaterally by persons who are the parties to it. Oh, for heaven's sake!

Hon. Mr. Bales: —when the basic terms of the standard teacher's contract were finalized, the Ontario School Trustees' Council opposed the inclusions—

Mr. Renwick: This is legal corruption and the Attorney General ought to be ashamed of himself.

Hon. Mr. Bales: —in those contracts of a term permitting the resignation of teachers at the end of December in any year.

Mr. Cassidy: That agreement was in 1954. It doesn't have legal binding force and it was repudiated a year and a half ago by the OTF.

Mr. Lewis: The Attorney General is going to have to resign.

Hon. Mr. Bales: Mr. Speaker, we have got to set the record straight and we are doing it.

Mr. Renwick: He is the greatest advertisement for having a non-lawyer as Attorney General that I know of.

Mr. Lewis: He is making room for the member for Muskoka (Mr. Miller) with this speech.

Mr. Speaker: Order, please.

Mr. Lawlor: He is supposed to be neutral as Attorney General.

Hon. Mr. Bales: I am neutral. As a law officer you call the shots as you see them.

Mr. Lawlor: This is a travesty of the profession.

Mr. Bullbrook: That is a travesty of his office.

Hon. Mr. Bales: Mr. Speaker, the opposition was only removed when the Ontario Teachers' Federation agreed to discourage the technique of mass resignation in the very circumstances that they now attempt to employ it.

Mr. Renwick: The Attorney General can't bury the words in the contract by that sophistical argument. That is ridiculous.

Mr. Lawlor: Why didn't he do what the Globe and Mail told him to do, to redefine the structure?

Hon. Mr. Bales: What stronger proof of the intention of the parties could we have than in the inappropriateness of mass resignations under this provision of the contract? Mr. Speaker, when you consider the manner in which these resignations were submitted, you question seriously whether, in fact, those submitting them ever intended to terminate their employment so that the various school boards could seek replacements.

Mr. Cassidy: That's right. They didn't have much choice, did they?

Hon. Mr. Bales: Such resignations are a mere sham. Bill 274 ensures that those submitting them derive no legal benefit from them.

Mr. Martel: The Premier sets them up so he can get rid of them all in the big shuffle.

Hon. Mr. Bales: Mr. Speaker, Bill 274, by restricting its application to the scheme of mass resignations, in reality merely gives legislative form to that original undertaking of the Ontario Teachers' Federation and ensures that the sham resignations cannot legally justify strike action by teachers and no degree of irresponsible rhetoric by members opposite or by them can detract from either of those facts.

Mr. Lawlor: The government has gone about it in the wrong way.

Hon. Mr. Bales: Mr. Speaker, I pay tribute to my colleague, the Minister of Education. He has carried a heavy responsibility in this House.

Mr. Lawlor: It is a legal shambles. The Attorney General should be ashamed of himself. If he had anything to do with it, he would have to resign.

Hon. Mr. Bales: He deserves great support from all members of this House.

Interjections by hon. members.

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I thought it might be appropriate to begin the windup remarks of this rather lengthy debate with a couple of quotations from Hansard for Dec. 5, 1972, under the heading, "Teacher-Board Negotiations":

Mr. B. Newman (Windsor-Walkerville): . . . Mr. Speaker, I have a question of the Minister of Education. In light of the crisis developing across the Province of Ontario with mass resignations of school teachers effective the first of the new year, has the minister been approached by [various associations to do certain things] . . .

Mr. Breithaupt: What's wrong with asking that?

Hon. Mr. Wells: To continue:

Mr. A. J. Roy (Ottawa East): Supplementary question: Is the minister saying, in fact, that he does not have any alternative plans if these people should walk out on Jan. 1? The minister doesn't have any plans, any alternatives to that situation?

Mr. Lewis: That is not an illegitimate question.

Hon. Mr. Wells: Going on:

Mr. Singer: By way of supplementary, Mr. Speaker, could the minister tell us what plans he knows to have been made in the event that these staffs do in fact walk out? Are these plans made?

Mr. Shulman: We know they conned the minister into it, but they should have been smarter.

Mr. Bullbrook: So that's why the minister did it. It took him 13 months, mind you.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Bullbrook: I never thought he was that slow.

Mr. Shulman: Does the minister always respond to statements by the opposition?

Hon. Mr. Wells: And then:

Mr. Singer: Mr. Speaker, I think the people of Ontario are entitled to a greater assurance. Is this minister not prepared to give any assurance to the people of Ontario that, notwithstanding whether or not the contingency plans of the boards work, in the event a contingency arises, the children will be able to continue to go to school after Jan. 1?

Interjections by hon. members.

An hon. member: Had the minister intervened?

Mr. Breithaupt: And it took him a whole year to apply it.

Hon. Mr. Wells: Mr. Speaker—

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Shulman: They led him right down the garden path.

Mr. Singer: And what did the minister say?

Hon. Mr. Wells: All right, I'll read the reply.

Mr. R. F. Nixon: Open negotiations.

Hon. Mr. Wells: Mr. Speaker, the reply I gave was that I would not answer problematical questions.

Some hon. members: Oh, oh.

Mr. Breithaupt: Then why raise the point now if it is problematical?

Mr. Singer: That is the problem.

Hon. Mr. Wells: What I want to tell my hon. friends—

Interjections by hon. members.

Mr. Speaker: Order. Order, please.

Interjections by hon. members.

Mr. Speaker: The hon. minister has the floor.

Hon. Mr. Wells: That statement was made on Dec. 5, 1972.

An hon. member: Yes, that's right.

Mr. Roy: In 1972?

Hon. Mr. Wells: I am not going to commit the mistake I made last year.

Mr. Roy: A year ago?

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Wells: I said I wouldn't answer problematical questions. I felt that people of goodwill could solve disputes, and luckily last year most of those disputes were solved—

Mr. Singer: Oh come on, that is weak.

Hon. Mr. Wells: —except for three.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Wells: Now, of course, the hon. member for Ottawa East has been asking me the same questions again.

Mr. Singer: Robarts said, "I take it—" and the minister was gone.

Hon. Mr. Wells: —and I still put on the record again, Mr. Speaker—

Mr. Singer: The minister should resign. He should resign.

Hon. Mr. Wells: —that after my friends in the Liberal Party voted with us, knowing full well what the bill said—

Mr. Roy: We never saw the bill.

Hon. Mr. Wells: —there was no chance—if they had read my statement made 45 minutes before we voted on that bill, they knew full well what that bill meant.

Mr. Roy: Is the minister saying it is all our fault?

Mr. Breithaupt: We are very sorry we got the minister into this position.

Hon. Mr. Wells: After that particular vote, the hon. member for Ottawa East again said, "This is what I want for my people." That's right.

Mr. Roy: I asked the minister if the ceilings were still on, he said yes, and I said, "You have got problems."

Hon. Mr. Wells: Yes, the ceilings are still on—

Mr. Speaker: Order, please.

Hon. Mr. Wells: I'll talk about those in a minute.

Interjections by hon. members.

Hon. Mr. Lawrence: The member for Ottawa East is finished.

Mr. Bullbrook: The member for Carleton East (Mr. Lawrence) is the devil here.

Mr. Roy: We made him do it. Why doesn't he say the devil made him do it?

Mr. Singer: Why don't we just say the government changed and let it go at that?

Hon. Mr. Wells: Mr. Speaker, at this time on what has been a very busy day, I thought it would be nice to remind my friends that probably—

Mr. Breithaupt: Oh, it is all our fault.

Hon. Mr. Wells: —if the weight of responsibility sat on them, which it never will—

Mr. Breithaupt: Don't be too sure.

Hon. Mr. Wells: —they would do exactly as I have done.

Mr. Roy: Keep bringing in Bill 274s and we will be in power very shortly.

Interjections by hon. members.

Hon. Mr. Wells: Now, in the few minutes that I'm going to speak tonight—

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Wells: —I want to say—

Mr. Sargent: Where was the NDP in all this?

Hon. Mr. Wells: —I want to say—

Mr. Lawlor: He will come to them.

Mr. Breithaupt: They weren't provoking him at that point.

Interjections by hon. members.

Mr. Lewis: I hope we were silent. I pray we were silent.

Interjections by hon. members.

Hon. Mr. Wells: I just want to say that while my friends across the way will probably vote against this bill on second reading—

Mr. Singer: Yes, we will.

Hon. Mr. Wells: —all of us will still not know where they stand on the matter of binding arbitration.

Hon. Mr. Davis: Right.

Mr. Roy: If the minister doesn't know, he is deaf.

Hon. Mr. Wells: And we haven't heard the opposition commit itself as to whether it is for settling disputes such as this through binding arbitration or not. Now, the member for Rainy River (Mr. Reid) says he is and I asked: "Is that your party policy?" He said: "Yes, I think it is, but it's my personal opinion."

We are still waiting for the Leader of the Opposition to get up and tell us what his policy is. I would be happy to yield the floor for a few minutes if he would like to tell us what his policy is.

Mr. Singer: The minister's resignation.

An hon. member: Don't push him.

Hon. Mr. Wells: All right, I won't push him. He hasn't answered. Maybe we will hear about it later when the House comes back in the fullness of time.

Mr. Breithaupt: We will let the minister know it in the fullness of time.

Mr. Singer: Try that resignation bit.

Hon. Mr. Wells: In the few minutes that are left, Mr. Speaker, of what has been a long day, I would like to—

Mr. Speaker: Order, please.

Hon. Mr. Wells: —very succinctly sum up the position of the government in this particular piece of legislation.

I first want to say I don't intend to deal in personalities, because I believe that personalities do not belong in this House. I think that any member elected to this House has achieved a certain status in his community and it's unbecoming of members to deal in personalities in this House.

I want to say that on the part of the Minister of Education, on the part of this government, this is not an anti-teacher bill. This government is not pursuing an anti-teacher policy, and anyone who says we are is absolutely wrong.

Interjections by hon. members.

Mr. R. F. Nixon: Don't ask the teachers what their views are.

Hon. Mr. Wells: The leader of this government during his years as Minister of Education enjoyed an excellent relationship with the teaching profession of this province—

Mr. Roy: The Premier is the cause of it all. He is the devil.

Hon. Mr. Wells: —and my relationship has been one, I think, of understanding and goodwill with—

Mr. R. F. Nixon: Of subservience.

Hon. Mr. Wells: —the teachers'—

Mr. Singer: It is for their own good that the minister is doing this.

Hon. Mr. Wells: —federation and the teachers of this province.

Mr. Breithaupt: It is like the fellow who sweeps up after the parade.

Hon. Mr. Wells: I just want to say—

Mr. Singer: They don't realize it.

Hon. Mr. Wells: —that over the last year we have done a few things in the Ministry of Education in the area of co-operative efforts. We have worked together on certification of teachers. We have worked on superannuation policies. We have worked on changing the school year. We have worked together; we have had regular meetings.

Now, just because we happen to disagree at one particular time, no matter how serious or how inflated that disagreement becomes, I don't feel that men of goodwill should allow that to colour a relationship forever.

Interjections by hon. members.

Mr. Lewis: The minister is wrong. The minister is wrong.

Hon. Mr. Wells: I just want to say today on my part—

Mr. Lewis: I would like to believe that, but the minister has destroyed trust. Trust was what was destroyed.

Hon. Mr. Wells: I just want to say on my part—

Mr. Singer: We love the teachers.

Hon. Mr. Wells: —on my part, I give my assurance that it certainly will not colour my relationship with the profession in this province.

Mr. Martel: The minister will never convince the teachers of that.

Mr. Roy: Where is that goodwill in 274?

Mr. Lewis: I believe that is true of the minister, but the teachers believe it was a matter of trust. The trust is gone.

Hon. Mr. Wells: Now, I just want to—

Mr. Speaker: Order, please. Order in the House. Let the minister continue to speak.

Hon. Mr. Wells: I believe that the vast majority of the teachers of this province understand truly and rightly what we are doing here, and do not have an inflated distorted version of what we are doing here.

Mr. Singer: There were 30,000 of them here today.

Hon. Mr. Wells: We will still maintain their trust in this government and this ministry.

Mr. Lewis: They don't trust any more; the trust is gone.

Hon. Mr. Wells: The relationships will still be there when we work on the major piece of legislation in regard to school board-teacher negotiations. Now, very quickly I just want to state that the main principle of this legislation—

Mr. Sargent: Is money.

Hon. Mr. Wells: —is to prevent the schools from being closed because of a stalemate between teachers and boards at the bargaining table in 16 localities in this province—16 localities only. And this bill—

Interjections by hon. members.

Hon. Mr. Wells: And this bill—just a minute now, I haven't arrived at that, just a minute—this bill applies only to the 16 localities where school shutdowns might occur in January because of mass resignations.

Mr. Lawlor: It is a precedent.

Hon. Mr. Wells: Now in these 16 localities—

Mr. Singer: Why doesn't the minister wait?

Hon. Mr. Wells: The member for Downsview asks why I don't wait.

Mr. Singer: Right.

Hon. Mr. Wells: He didn't want me to wait last year.

An hon. member: That's right.

Hon. Mr. Wells: I waited last year—

Mr. Singer: Mr. Speaker, on a point of order, if the minister is going to quote me—

Hon. Mr. Lawrence: No point of order.

Mr. Roy: Challenge the Speaker!

Mr. R. G. Eaton (Middlesex South): Just like the member for Ottawa East, he doesn't know which way he is going.

Mr. Roy: Keep your skirt up, madam.

Mr. Speaker: Order, please. The hon. member for Downsview has the floor.

Mr. Singer: If the minister is going to quote me, let him quote me correctly, and let me say that my question to him as he quoted earlier tonight was—

Hon. G. A. Kerr (Provincial Secretary for Justice): The member for Downsview would be better to say nothing.

Mr. Singer: —tell us what the government's plans are. That doesn't wait. Tell us what the government's plans are. He hasn't told us yet.

Interjections by hon. members.

Hon. Mr. Davis: The member didn't hear what the minister said.

Mr. Drea: It's okay, he is trying to duck the issue like he always does.

Hon. Mr. Wells: This year we are telling the members what our plans are.

Mr. Singer: Oh, now it is too late.

Mr. Roy: Why didn't the minister go about—

Hon. Mr. Wells: In these 16 areas that this bill affects, and I emphasize again that it affects only these 16 areas, free collective bargaining has been going on between the teachers and the school boards in these areas since last spring. What this bill says is that any items that are remaining in dispute—and I underline that "any items that are remaining in dispute"; that means any items, be they monetary items or what are termed terms and conditions or working conditions—shall go to binding arbitration on Jan. 1 of this year if they are not settled, and that after many months of negotiations we'll bring things to a satisfactory conclusion in these 16 areas. That is exactly what this legislation does.

I want also to emphasize further, Mr. Speaker, that every teacher's individual right to resign is protected. Any teacher is perfectly free to resign if he or she legitimately wants to leave one of these 16 boards and declare his or her position vacant. There is no interference with any teacher's right in this regard.

Interjection by an hon. member.

Mr. Speaker: Order, please.

Hon. Mr. Wells: This right was never in question in this legislation.

Interjection by an hon. member.

Mr. Speaker: Order.

Hon. Mr. Wells: Only mass resignations are affected. I don't want to go over what I talked about the other day.

Interjection by an hon. member.

Mr. Speaker: Order, please.

Hon. Mr. Wells: I think I indicated to the members the agreement that appeared to—well, it didn't appear, Mr. Speaker; it was between the Ontario Teachers' Federation and the Ontario School Trustees' Council—an agreement that was achieved in 1954 that indicated the trustees' council would discourage the use of the Dec. 31 resignation date for mass resignations—

Mr. Singer: In 1954?

Hon. Mr. Wells: —a policy which was changed at the Dec. 31 annual meeting in 1972.

Mr. Singer: Who was the Minister of Education then? Was it Dunlop?

An hon. member: Dr. Dunlop.

Mr. Speaker: Order, please.

Hon. Mr. Wells: As I said, it was changed in 1972 in a letter, which I quoted earlier in this debate, to Dr. Bargen from Dr. Nora Hodgins, who said the board of governors did this because it felt the bargaining position of teachers had changed considerably since 1954, and that in the present situation resignations at Christmas are within the terms of the teachers' contract—

An hon. member: Really?

Hon. Mr. Wells: —and must be regarded as a reasonable alternative to the right to strike, which teachers do not have at the present time.

Mr. Singer: Yes, that is what the contract said.

Hon. Mr. Wells: In other words, the intent of the mass resignation technique is that the

resignations are in effect a strike. They are in effect a strike.

Mr. Singer: Oh, come on, how can they strike if they are not a trade union? No way. They can't be professionals—

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Face the facts.

Interjections by hon. members.

Mr. Speaker: Order, please. Order, please.

Hon. Mr. Wells: I emphasize this only to underline what I said a few moments ago that no one's individual rights to resign is being threatened.

Mr. Singer: If the minister makes them a trade union, okay. But he is not.

Hon. Mr. Wells: I just wanted to say, at this meeting on Sunday, which has been thrown around in here as not being of any help—which I deny—I put this question—

Mr. Roy: Why didn't he have a meeting earlier?

Hon. Mr. Wells: —to the boards that were there and I didn't have anyone say there would be any problem in his board—one of these 16, the only ones affected—with being able to sort out any individual teacher who legitimately wanted to resign. The boards will be able to handle it.

Mr. Singer: That's a pretty unilateral viewpoint.

Mr. R. F. Nixon: How many opposition members were at the meeting?

Mr. Cassidy: They would conspire with the minister to take away the individual's right to resign.

Mr. Roy: Did the minister invite any opposition members to the meeting?

Mr. Singer: Not a one. Not a one.

Mr. Speaker: Order. Order, please.

Hon. Mr. Wells: It wasn't a meeting for opposition members. It was a meeting for the Minister of Education.

Interjections by hon. members.

Mr. Singer: The views of only one person are what we get here.

Hon. Mr. Wells: It was a meeting for the Minister of Education to assist and help in trying to solve these disputes.

Mr. Singer: And he can always go into camera if he gets into trouble.

Mr. Renwick: The boards were going to decide each individual case, weren't they?

Hon. Mr. Wells: The boards already know each individual case. The boards already know.

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. minister has the floor.

Hon. Mr. Wells: Let me just read down a rundown. We checked with the various boards.

Mr. Singer: We've had all that nonsense.

Hon. Mr. Wells: The Carleton Board of Education. The resignations which were collected in company and handed in as part of the mass resignation technique were delivered in bundles. The board reports they have not been opened and are now in the board's vault.

Mr. Singer: Are the resignations in the same vault with the cheques that the Treasurer held up for the senior citizens?

Hon. Mr. Wells: In other words the board hasn't even opened these.

Mr. Roy: How does the minister know if he hasn't even opened the envelopes?

Hon. Mr. Wells: In the Prescott and Russell Board of Education the resignations were delivered in bundles which have not been opened by the board and which are still in the board's vaults.

Mr. Renwick: They were delivered when they were delivered to the board and the minister knows that.

Hon. Mr. Wells: They haven't even been looked at.

Mr. Lewis: They have accepted delivery.

Mr. Renwick: It doesn't matter whether they opened them or not and the minister knows that.

Interjections by hon. members.

Hon. Mr. Wells: No, I'm not going to take questions. This is the most telling one, I think again—I am not trying to win a point.

An hon. member: Sit down.

Hon. Mr. Wells: No, I won't yield the floor.

Interjections by hon. members.

Mr. Speaker: Order, please; the hon. minister has the floor.

Mr. Cassidy: Mr. Speaker, would the minister permit a question on this point?

Mr. Eaton: The member from Centre Island. Yappy, sit down.

Mr. Speaker: Would the hon. minister accept a question?

Interjections by hon. members.

Mr. Speaker: Out of order.

Hon. Mr. Wells: No, the hon. member refused to take any questions from me the other day. This, Mr. Speaker, is the one that, again, best exemplifies how this matter is handled. I am only doing this to illustrate to the members the fact that the individual teacher who wants to resign will not have any problem. It was never intended that his rights be interfered with, but the resignations being handled as a bargaining technique are the resignations which are being altered by this bill.

Interjections by hon. members.

Hon. Mr. Wells: The Huron-Perth County Roman Catholic Separate School Board reported that the resignations were received in bulk but have not been opened.

Mr. Singer: Still in the vault.

Hon. Mr. Wells: They are still in the vault and it is the intention of the board to return them without opening them.

Mr. Singer: Oh, no, locked in the vault. Go get them out of bed.

Mr. Bullbrook: How does the minister know they are resignations?

Hon. Mr. Wells: That is the very point that I am saying.

Mr. Lewis: Maybe these are Christmas cards.

Mr. Singer: All signed, "We love Tom Wells."

Hon. Mr. Wells: That is the very point. The hon. member has put his finger right on it.

Interjections by hon. members.

Hon. Mr. Wells: The very point is it is all part of the collective bargaining technique.

Mr. Bullbrook: The minister said before that he knew.

Mr. Speaker: Order, please.

Hon. Mr. Wells: The people in each of these boards who legitimately wanted to resign—

Mr. Singer: Oh, come off it.

Hon. Mr. Wells: —have handed their—would the hon. member please listen? They have handed their resignations in.

Mr. Singer: They're all cards saying, "We love Tom Wells"; every one of them.

Mr. Cassidy: What if they submitted their resignation with the others as a—

Mr. Speaker: Order, please. The members on my left have had an opportunity to speak. Now the minister has the floor.

Hon. Mr. Wells: The people in these boards who legitimately wanted to resign—will the hon. members please listen?

The people in these boards, Mr. Speaker, who legitimately wanted to resign have handed in their resignations in a different manner and through a different channel.

Mr. Singer: Oh, come on.

Mr. Cassidy: Not necessarily. The onus is on the minister to prove that.

Mr. Bullbrook: How does he know they are legitimate?

Hon. Mr. Wells: I can only tell the hon. members that I have asked the boards and they assure me there is no problem. There is no problem with their being able to accept the resignations of those who legitimately wanted to resign.

Mr. Lewis: There is a problem in law. There may be no problem for the board but there is in law.

Mr. Singer: Lock them in the vault.

Hon. Mr. Wells: I have to indicate very clearly to members—and I am not doing this in a critical way—I am just illustrating to them why this legislation is here.

Mr. Singer: This is incredible.

Mr. Renwick: He is stating the very corruption of the bill.

Hon. Mr. Wells: Oh, listen. I am not shaking my fist. I am just saying that we all listen to the members.

Interjections by hon. members.

Mr. Renwick: He is corrupt. Does he understand—

Mr. Speaker: Order, please. Order.

Hon. Mr. Wells: Obviously, Mr. Speaker, the hon. member for Riverdale is not worthy of the comments I made about members of this House at the beginning of my remarks.

Interjections by hon. members.

Hon. Mr. Wells: If he thinks I am corrupt let him go out and sue me and tell me I am corrupt.

Mr. Renwick: I say to the Minister of Education that he is corrupting the process he is involved in, and he knows it.

Mr. Eaton: Why doesn't the member sit back and listen? We gave him the courtesy.

Interjections by hon. members.

Mr. Speaker: Order, please. Order.

Mr. Lewis: Mr. Speaker, will you escort that member from the House?

Mr. Lawlor: We don't mind being yelled at but we won't be screeched at.

Mr. Bullbrook: May I ask how a school board can lodge an envelope filled with papers in their vaults and know that they are mass resignations? That's the first question.

An hon. member: They were never opened.

Mr. Bullbrook: And how they can come to a conclusion—because they recognize that in that paper are mass resignations—how can they come to a conclusion that the resignations are not sincere resignations? Would the minister answer that question, please?

Mr. Yakabuski: Mr. Speaker, on a point of order.

Mrs. Campbell: He may not rise on a point of order.

Mr. Roy: It is a question. It was accepted.

Hon. Mr. Wells: I think the indication is that it's all part of the, if I can use the word, "game."

Mrs. Campbell: Game? What game?

Mr. Lewis: This is an offence. He cannot call it a game!

Interjections by hon. members.

Mr. Speaker: Order!

Hon. Mr. Wells: The leader of the NDP should just control himself. I said that in quotes. This is part of the—

Interjection by an hon. member.

Hon. Mr. Wells: Well, would the members like an answer? All right. Well tell the member for Scarborough West to calm down and keep his blood pressure down.

Mr. Lewis: Then don't talk about "games" in the House!

Hon. Mr. Wells: The resignations that have been collected as part of the mass resignation technique are put together, they are handed in by the negotiators or the federation people.

Mr. Lewis: For all the minister knows they are assignations.

Hon. Mr. Wells: They have been opened and catalogued in some of the boards. In other boards they have not been opened up.

Mr. Bullbrook: I asked, how many?

Mr. R. F. Nixon: It's a dumb point anyway. Why doesn't the minister get to the point?

Mr. Speaker: Order, please. Order!

Interjections by hon. members.

Mr. Renwick: Tell me, have they put any through the computer?

Mr. Speaker: Order, please. The members on the left have had their opportunity to speak. The hon. minister has the floor now.

Hon. Mr. Wells: The basic point is that those people have not vacated their jobs; and they don't intend to vacate their jobs.

Mr. Bullbrook: How does the minister know?

Mr. Speaker: Order, please.

An hon. member: Has he looked at them?

Hon. Mr. Wells: The board is assuming that the resignations are in the envelopes.

Mr. Lewis: They have no right to make that assumption.

Mr. Renwick: And the government is taking away their right to vacate their jobs.

Hon. Mr. Wells: I am saying to the House—

Mr. Speaker: Order, please! The hon. minister has the floor.

Mr. Lewis: He is fining them $500 a day on assumptions?

Hon. Mr. Wells: No, I'm not going to answer any more questions. I wanted just to be sure that the members understood this.

Mr. Cassidy: The minister had better answer a few questions.

Hon. Mr. Wells: People who wanted to leave the board and resign have handed in—

Mr. Lewis: The minister has got problems in this bill.

Hon. Mr. Wells: People that have legitimately resigned have handed in their resignations—

Mr. Renwick: The minister prejudging the question.

Interjections by hon. members.

An hon. member: How many have resigned?

Hon. Mr. Wells: I don't know, but those people on the boards know.

Mr. Speaker: Order, please!

Mr. Lewis: On a point of order, if I may, Mr. Speaker. I really think there's something critically wrong. I don't think that the legal members of the government, from the Premier to the Attorney General to the Provincial Secretary for Justice, should be allowing this to happen tonight.

Mr. Speaker: Order, please!

Mr. Lewis: The law should not be allowed to be treated this way, publicly. No, it's not right.

Hon. Mr. Wells: Mr. Speaker, the members of this House are getting very concerned over a matter which the boards are not going to have any difficulty taking care of. No difficulty at all. Nobody in this province working for any of those 16 boards who wants to resign for legitimate reasons will be prevented from doing so by this bill. And I can guarantee that.

Interjections by hon. members.

Hon. Mr. Wells: I will make this pledge to this House tonight. Any teacher in any of those 16 areas who legitimately wants to resign and make his job vacant, if he feels he's being discriminated against, let him let me know and I will take up his case.

Interjections by hon. members.

Mr. Renwick: Who is going to lay the charges?

Mr. Lewis: But that is prejudiced.

Mr. Renwick: Who is going to lay charges against those who legitimately resign in the minister's judgement?

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Lewis: There is about two weeks of debate on this clause, I would say. Just with the law alone.

Hon. Mr. Wells: The hon. members are presently dealing in a non-issue—

Mr. Lewis: We are not dealing in a non-issue.

Hon. Mr. Wells: —because the major issue is the right of the individual to resign.

Interjection by an hon. member.

Hon. Mr. Wells: The major principles of this bill is the technique to keep the schools open on Jan. 3.

Mr. Singer: That was the technique.

Hon. Mr. Wells: That's the principle of this bill. That is in this bill and that is inherent there.

Mr. Shulman: The debate will still be on on Jan. 3.

Mr. Foulds: Where does it say in this bill that the minister is going to keep them open? Where?

Hon. Mr. Wells: It says there that the resignations—

Mr. Foulds: Where does it say it?

Mr. Speaker: Order, please. The member has not got the floor.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Foulds: The words, "the school is open," are nowhere in this Act. It is not even in his spurious explanatory note.

Hon. Mr. Wells: I have enough faith in the teaching profession of this province that if and when this became the law of this province, it will be obeyed, and I believe that it will.

Mr. Renwick: They have not got any faith left in the minister.

Hon. Mr. Wells: I just want also to stress—

An hon. member: The minister's logic is not clear.

Hon. Mr. Wells: Well, I can't help it if the hon. members opposite just don't seem to be able to grasp a situation which they have never lived with, but which I have lived with.

Interjections by hon. members.

Hon. Mr. Grossman: No wonder.

Mr. Foulds: But I have lived with it. I worked for a year without a contract. I know about it.

Hon. Mr. Wells: I just want to go back for a minute and talk about the Windsor situation last year because it has a bearing on this. I, more than a lot of people in this House, lived through that situation along with some of the dedicated people of the various federations, particularly the Ontario Secondary School Teachers' Federation. We met many times during that dispute. That was probably the first one where we knew exactly how this mass resignation situation would occur. Before that, it was, as has been stated many times in this House, a very horrendous decision for a teacher to make to sign that resignation slip as part of a mass resignation bargaining procedure.

Mr. Martel: Right on.

Hon. Mr. Wells: It's not a horrendous decision for a teacher who wants to leave the profession or go to another board, but in this particular case it was. There were unanswered questions. After the three weeks of the Windsor situation, many of those questions were answered.

Mr. Foulds: Why didn't the minister look back to the 1952 situation in Port Arthur where the same thing happened?

Hon. Mr. Wells: Well, wait a minute now. Let me say what questions were answered. First, the uncertainty about whether you would be taken back after you handed in a resignation was answered, because everybody was taken back, and that was part of the negotiated settlement. Secondly, what happens to your superannuation? This was a question that was uppermost in a lot of people's minds when they signed these resignations hitherto.

Mr. Ferrier: They still had the courage to sign them though.

Hon. Mr. Wells: That problem was settled and it was shown that they became temporary employees of their federation. In that way they qualified to continue their superannuation payments under provincial statute which says that federation employees may be in the teachers' superannuation fund.

Mr. Singer: Is the minister saying that—

Hon. Mr. Wells: It's an interesting device.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Listen for a while. It's important.

Hon. Mr. Wells: Now with these things being settled away in Windsor, I think that it did not become as horrendous a job for teachers to sign those resignations this year because these things were straightened away. Some of the unanswered questions were clarified. I think there is no doubt in the minds of most teachers that with bargaining continuing, be it compulsory binding arbitration or be it negotiations, they would have all got their jobs back. They never intended to vacate those jobs. They intended to get them back and that would be part of the settlement. I think that that has to be understood.

Mr. Lewis: Of course, there was something else learned in the Windsor situation, which was that the kids were not damaged in the course of the dispute.

Hon. Mr. Grossman: Who knows?

Hon. Mr. Wells: Well, that's a very subjective thing.

Interjections by hon. members.

Hon. Mr. Wells: That is where the member and I have to decide.

Mr. Lewis: We have Windsor members here. I was down there with them during the strike with teachers—

Mr. Speaker: Order, please.

Hon. Mr. Wells: We have to decide whether we believe or whether we can really measure whether anybody was damaged. Maybe they weren't in Windsor, maybe they were.

Mr. Lewis: Oh yes, the minister can. There have been studies which measure it.

Hon. Mr. Wells: Well, how long is a legitimate strike?

Mr. Lewis: I don't know. That is up to the minister to determine.

Hon. Mr. Wells: One week, two weeks, four weeks, four months? I don't know, but I just think the people of this province feel they have an educational system, a good educational system, and they want it there for their children and their students and they don't want it to be shut down as part of the process.

Mr. Singer: That's just what the minister did.

Hon. Mr. Wells: But anyway, that's beside the point, this bill—

Mr. Singer: That's what the minister did.

Hon. Mr. Wells: —only deals with that matter for 16 boards. We'll come to the major question of compulsory arbitration next spring.

Mr. Lewis: But if the House passes this bill, then the major question is decided.

Mr. Cassidy: When it comes time for consideration, the minister will already have pre-empted the question.

Hon. Mr. Wells: We'll still have the major question. Sure, we've stated our principle—

Mr. Lewis: That's right.

Hon. Mr. Wells: —and we're putting it into effect here.

Mr. Lewis: That's right.

Hon. Mr. Wells: But it is not becoming law for any teachers in any other areas for any other time, but only in 16 boards in this province this year. That's all. That's all this bill says.

Mr. Roy: The minister doesn't want to tackle all the teachers at the same time.

Interjections by hon. members.

Hon. Mr. Wells: I just want to say also that the charge has been made that negotiations are not continuing. Through a very concerted effort of the ministry, myself and various people on our staff, we've kept in close touch in order to facilitate or help various areas where they need assistance and where we can be of help. I would say that negotiations have continued and are continuing, in most of the areas if not all of the areas where they were continuing before.

One can't measure, and I'm not going to try to say that the bill caused certain things to happen or the bill didn't cause certain things to happen, but I think I can safely, having met with the groups on Sunday, that negotiations are continuing. I think many of the areas will make settlements before the Dec. 31 deadline. Of course if they do, the bill becomes non-operative for them.

Mr. Cassidy: They probably all would have settled by that time.

Hon. Mr. Wells: If they all do, the bill becomes non-operative for anybody.

Mr. Cassidy: The minister is in trouble and he knows it.

Hon. Mr. Wells: My friend says that. Perhaps they would, perhaps they wouldn't. All I can tell him is that—

Interjection by an hon. member.

Mr. Speaker: Order, please. Order.

Hon. Mr. Wells: —with the weight of the responsibility sitting on my shoulders, not his—

Mr. Cassidy: The minister could have sought an extension.

Hon. Mr. Wells: —I felt I had to act in this way to be sure.

Mr. Cassidy: The minister was wrong and so was his party.

Hon. Mr. Wells: Only time will tell whether I was wrong.

Hon. Mr. Lawrence: The member for Ottawa Centre should finish his dinner.

Hon. Mr. Grossman: Yes, have another peanut.

Mr. Lewis: Yes, that is true. I think there are some boards which we don't think the ceilings thing will pass.

Hon. Mr. Wells: Only time will tell who is right and who is wrong, but I just have to tell the member that I did sincerely what I thought was right at this time.

Mr. Lewis: The minister will have to lift some ceilings.

Mr. Roy: Who made the minister do it?

Hon. Mr. Grossman: Not the member for Ottawa East.

Hon. Mr. Wells: In the spring, the draft Bill 275, which lies on our order paper, will be brought forward again. There will be ample opportunity for discussion of that bill. I draw the members' attention to the fact that it provides for many months of free collective bargaining. It provides for binding arbitration. It also gives teachers the right to negotiate terms and conditions of work.

Mr. Lewis: If the minister passes this bill, that's all he will give them.

Hon. Mr. Wells: This bill will be discussed fully, here in the committee of this House, and there will be ample time for discussion.

Mr. Lewis: The minister will find the teachers fighting the same frustrated battle again next spring on Bill 275 as on Bill 274. The minister is building their antagonism—

Mr. Cassidy: That's right.

An hon. member: The member for Scarborough West is.

Hon. Mr. Grossman: The member for Scarborough West is trying to cool it out?

Mr. Martel: We didn't introduce the bloody bill.

Interjections by hon. members.

Mr. Martel: First thing anyone knows, they will be saying we introduced the bill.

Mr. Lawlor: The minister will have an even bigger fight next spring.

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Lewis: Compared to the debate next spring, this was just a preliminary.

Hon. Mr. Grossman: Won't the member be sorry?

Mr. Lewis: We'll be happy.

Interjections by hon. members.

Hon. Mr. Wells: I just want to say, Mr. Speaker, in regard to one of the principles of this bill which is binding arbitration for these 16 boards if the disputes are not settled by Dec. 31, I would just like to say that we in this government feel teachers are a type of essential service. They are a type of essential service—

Mr. Roy: Come on, be more categorical.

Mr. Lewis: What is a type of essential service?

Mr. Lawlor: How essential is essential?

Mr. Roy: Get off the fence.

Hon. Mr. Wells: —not one that affects the life and health of the people, but they are a service that the people themselves have created, as the Star said today, "collectively for themselves," which certainly puts them in a different category from people working in the private sector. In other words, the teaching profession is, in fact, working for all of the rest of society which has given the responsibility for educating the children to the board and, through the board, to the teachers.

Mr. Reid: That is pretty weak.

Hon. Mr. Wells: They are working for all of us and I think this puts them in a particular and different situation and it is our feeling that the way to settle disputes in this particular area is through binding arbitration.

Mr. Lawlor: Like firefighters.

Mr. Cassidy: Would the minister outlaw the right—

Mr. Martel: Teachers have always been considered professional except by this government.

Interjections by hon. members.

Hon. Mr. Wells: I listened extensively—

Hon. Mr. Davis: If the member for Sudbury East had his way he would take away all their professionalism.

Hon. Mr. Wells: I listened to many comments about the Province of British Columbia and I noticed that the Province of British Columbia brings to a finality teacher-school board negotiations through binding arbitration.

Mr. Shulman: Look what happened to that government.

Mr. Cassidy: Yes, once it combined combined ceilings that was the end of the Social Credit government.

Hon. Mr. Wells: I also noticed that there is another province in Canada which brings to finality school board-teacher negotiations through boards of arbitration, and in which teachers have no right to strike, and that's the Province of Manitoba.

Some hon. members: No.

Mr. Lewis: I will tell the minister something—they are wrong.

Mr. Cassidy: Tell us about the Province of Alberta.

Hon. Mr. Wells: All right, but I think that—

Mr. Drea: Wait until Ed Schreyer hears this. Everybody is wrong, even them.

Mr. Lewis: That is probably true.

Hon. Mr. Wells: Everybody is entitled to draw upon whatever support they wish.

Mr. Lewis: Of course. The minister speaks of Manitoba; talk about Alberta too.

Mr. J. E. Stokes (Thunder Bay): Take a look at Alberta.

Hon. Mr. Wells: I find I am able to draw from—it is very interesting. I want to read from the Manitoba Act which says no teachers shall strike; it says "For the purpose of this section the word 'strike' shall be the meaning given to that word in section 2 of the Labour Relations Act." In there, as well as the normal definition of strike, there has been added recently—in the last year or so I understand—a section which says "or a slowdown of work or"—I can't read this—

Mr. Lewis: I know all about it.

Mr. Drea: I bet he does.

Interjections by hon. members.

Hon. Mr. Wells: I can't read it but it is a slowdown of work or something in relation to those—something—that is designated to restrict—I can't read somebody's writing here. It is a slowdown of work or something which causes distruption of the work or which is designed to restrict or limit the output of work.

Mr. Breithaupt: That is as clear as most of this government's definitions.

Hon. Mr. Wells: Yes, it was by a Manitoba legislative counsel.

Mr. Lewis: Mr. Schreyer always said he was a social democrat.

Interjections by hon. members.

Hon. Mr. Davis: We will have to discuss that some day.

Hon. Mr. Wells: I might say it is a definition which some could take to mean as even declaring work to rule as part of the definiof strike.

Mr. Lewis: I would not call that enlightened legislation.

Mr. Cassidy: Now tell us about Alberta.

Mr. Lewis: What about Saskatchewan?

Mr. Roy: They are still allowed to resign.

Hon. Mr. Wells: What I would like to do now, Mr. Speaker, is mention that much has been made of the ceilings that apply in these particular areas and the fact that the ceilings may be hindering settlements in some of these areas.

I want to tell the hon. members that, as has been stated many times, many boards—in fact, probably most of the boards, not all because there are still some boards negotiating which didn't fall within the disputed area of these 16—have settled with adequate contracts within the ceilings we have in effect and the ceilings available for 1974.

Mrs. Campbell: That doesn't mean they can all do so.

Hon. Mr. Wells: I again draw the hon. members' attention to the Metropolitan Toronto situation; we heard much discussion about the ceilings stopping an adequate settlement and yet an adequate settlement was arrived at.

Mr. Cassidy: The government has bailed them out year after year.

Mr. Lewis: We can ask about that on clause-by-clause discussion.

Hon. Mr. Wells: I want to read for the hon. members, for the record of the House, the increase in the ceilings for next year for the boards which are affected so they will see what these increases are and that these boards do have increases. They don't have

decreases in the amount of money. They have had fairly extensive increases in the amount of money available to them for per-pupil expenditures.

Hon. Mr. Kerr: There are no cutbacks.

Mr. Cassidy: Does this apply to the 1973 portion of the contracts—

Mr. Speaker: The minister has the floor.

Hon. Mr. Wells: This applies to the 1974 ceilings over 1973 ceilings but I have already indicated to all of these boards a technique which, if they find there is a problem with the last four months, they can use to develop.

Interjections by hon. members.

Hon. Mr. Wells: The technique of borrowing the money against next year to cover the 1973 parts of the contracts can be done.

Mr. Cassidy: And the minister should have told them on Sunday.

Hon. Mr. Wells: Well, it doesn't here. Nipissing Roman Catholic Separate School Board goes up 8.412 per cent; Essex secondary goes up 12.54 per cent; Windsor Roman Catholic Separate School Board goes up 8.831 per cent; Perth county secondary goes up 21.46 per cent; Huron-Perth Roman Catholic Separate School Board goes up 12.4 per cent.

Interjection by an hon. member.

Hon. Mr. Wells: These are the per-pupil ceilings.

Interjections by hon. members.

Hon. Mr. Wells: Wellington Roman Catholic Separate School Board goes up 10.213 per cent; Ontario County Roman Catholic Separate School Board goes up 8.412 per cent; York county goes up 7.079 per cent; Frontenac goes up 9.179 per cent; Carleton elementary, 8.412 per cent; Prescott-Russell, 8.987 per cent; Carleton Roman Catholic Separate School Board, 8.413 per cent; and the Chapleau Roman Catholic Separate School Board, 17.926 per cent.

An hon. member: How come all those opposition ridings get those big increases?

Mr. Martel: What about Sudbury? What about the Sudbury separate school board?

Hon. Mr. Wells: Sudbury?—8.412 per cent.

Interjections by hon. members.

Hon. Mr. Wells: Mr. Speaker, I firmly believe there is adequate room within these ceilings for these boards, as many others in this province have done, to come to equitable settlements through mediation or negotiation before the end of the year, and if not, for a real arbitration procedure to take place and for orderly settlements to be arrived at without schools being closed and pupils being inconvenienced in any of these 16 areas.

Interjection by an hon. member.

Mr. Singer: Can they do it without releasing teachers?

Hon. Mr. Wells: I just want to close with this one little point. I suppose some of the people in this House, having attended the rally at Maple Leaf Gardens and others having seen the gathering in front of the Legislature, perhaps think this has been a unique and unusual occurrence—

Mr. Cassidy: Tell us about intimidation or mob rule—since the minister believes that is what is happening.

Hon. Mr. Stewart: Go and eat supper somewhere else. He is a disgrace to the Legislature.

Interjections by hon. members.

Hon. Mr. Wells: I think many of us perhaps have short memories, but on May 3 in—

Mr. Ferrier: The minister is having trouble reading again.

Hon. Mr. Wells: —1970, 8,000 teachers gathered in Maple Leaf Gardens—

Mr. Reid: Who was Minister of Education then?

Hon. Mr. Wells: A total of 8,000 teachers gathered in Maple Leaf Gardens to—

Mr. Singer: Oh, there is a bit of a difference between 8,000 and—

Hon. Mr. Wells: —to have a rally that resulted in the resignations being submitted of a large number of those teachers—

Mr. Singer: —between 8,000 and 20,000.

Hon. Mr. Wells: As that dispute took its course, one of the means of achieving some kind of settlement in that dispute—

Mr. Singer: That wasn't compulsory arbitration.

Hon. Mr. Wells: No, it wasn't compulsory arbitration.

Mr. Singer: Yes, good sense, bargaining, talking—

Hon. Mr. Wells: But it was an alteration by regulation.

Mr. Singer: Yes, by bargaining and talking.

Hon. Mr. Wells: It was an alteration—

Mr. Singer: Yes, it was—

Hon. Mr. Wells: Just a minute, it was an alteration by regulation of the terms of the contract—the terms of the teachers' contract.

Mr. Martel: Is the Premier getting his instructions for tomorrow from the Globe and Mail?

Hon. Mr. Wells: The Minister of Education at that time extended the resignation date to June 30, 1970, to allow teachers time to resign—

Mr. Singer: Yes, well, there is a little difference between compulsion and consent. That is what this is about.

Hon. Mr. Wells: —and find positions with other boards if they wished to do so.

Interjections by hon. members.

Hon. Mr. Wells: What the member is saying is that a date that can't be changed under a particular situation was changed again, because in order to facilitate teachers and boards at that time, this date was altered by regulation.

Mr. Singer: Doesn't the minister realize the difference between compulsion and consent?

Hon. Mr. Wells: At this time, we are altering it by legislation in full view of this House—

Mr. R. F. Nixon: By compulsion!

Mr. Renwick: He wants to make it an offence by regulation.

Hon. Mr. Wells: —in full view of this House—

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Renwick: Because they want to make it an offence. We can make it an offence by regulation.

Mr. Speaker: Order.

Hon. Mr. Wells: —in full view of this House, which is charged with making legislation affecting this province, and in full view of everyone in order to keep schools open in 16 areas if a dispute occurs.

Mr. Singer: Yes, by compulsion.

Hon. Mr. Wells: Now I have to say—and I'm going to conclude, Mr. Speaker—I have to say that it is sad in this day and age that people criticize governments because they don't take action and people criticize governments because they do take action.

Mr. Roy: Bring in proper legislation and see.

Hon. Mr. Wells: I think to be in government today—

Interjections by hon. members.

Hon. Mr. Wells: —and to have any of these responsibilities sitting on one's shoulders is not an easy job. But it is a job that I think has to be taken with consideration for the rights of all those who have precedence, particularly in this specific case.

Mr. Roy: Oh, he has got to be kidding.

Mr. Speaker: Order.

Mr. Roy: The minister doesn't mean that.

Interjections by hon. members.

Mr. Speaker: Order.

Interjections by hon. members.

Hon. Mr. Wells: The paramount rights in these 16 areas are towards the young people in the school systems of those areas.

Mr. Roy: Oh here we go. Why doesn't the minister get some background music while he says that?

Hon. Mr. Wells: These are the paramount rights, and this is what this government has decided must be done. We see the situation that can develop—

Mr. Lawlor: Pure pathos.

Hon. Mr. Wells: We feel that we must take action, and this bill does it. As I said earlier, it is a responsible bill of a responsible government, and responsible men and women in this Legislature will support it.

Mr. Ferrier: Swan song.

Mr. Sargent: Will the minister accept a question of clarification?

Mr. Eaton: Sit down.

Mr. Speaker: The minister does not wish to accept the question.

Mr. Roy: Speak up, speak up.

Mr. Speaker: The question before the House is the motion for second reading of Bill 274. An amendment had been presented, moved by Mr. Deans, that the bill be not now read a second time.

The House divided on the motion that Bill 274 be now read a second time, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Apps	Breithaupt
Auld	Bullbrook
Bales	Burr
Beckett	Campbell
Belanger	Cassidy
Birch	Deacon
Brunelle	Deans
Carruthers	Dukszta
Clement	Edighoffer
Davis	Ferrier
Downer	Foulds
Drea	Gaunt
Eaton	Germa
Evans	Good
Ewen	Haggerty
Gilbertson	Laughren
Grossman	Lawlor
Guindon	Lewis
Hamilton	Martel
Handleman	Newman (Windsor-Walkerville)
Havrot	Nixon (Brant)
Henderson	Paterson
Hodgson (Victoria-Haliburton)	Reid
Hodgson (York North)	Renwick
Irvine	Riddell
Kennedy	Roy
Kerr	Ruston
Lane	Sargent
Lawrence	Singer
Leluk	Spence
MacBeth	Stokes
Maeck	Worton—33.
McIlveen	
McNeil	
McNie	
Meen	
Miller	
Morningstar	
Morrow	
Newman (Ontario South)	
Nixon (Dovercourt)	
Nuttall	
Parrott	
Reilly	
Rollins	
Root	
Rowe	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Stewart	
Taylor	
Timbrell	
Turner	
Villeneuve	
Walker	
Wardle	
Welch	
Wells	
White	
Winkler	
Wiseman	
Yakabuski	
Yaremko—65.	

Clerk of the House: Mr. Speaker, the "ayes" are 65, the "nays" 33.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Some hon. members: No.

Mr. Speaker: Committee of the whole House?

Some hon. members: Standing committee.

An hon. member: He said "committee of the whole House."

Hon. Mr. Winkler: Mr. Speaker, I would like to say that tomorrow morning we will proceed with the discussion of item No. 1 on today's order paper. If the House were to feel productive and co-operative, I would suggest we could get around to discussing Bill 274 in committee sometime after lunch.

Mr. R. F. Nixon: Is the House leader indicating that we will finish the budget debate before we go into committee on Bill 274?

Hon. Mr. Winkler: Maybe expressing a desire.

Mr. Kennedy: Mr. Speaker, on a point of order, could the House leader explain if there will be carols tomorrow at noon?

Mr. Singer: Does the member mean the ones with "No Wells, no Wells"?

Mr. Lewis: May I ask the House leader, is it his intention at some point during the day, afternoon or evening, to go to Bill 274 at some point; regardless of whatever else?

Hon. Mr. Winkler: I would think so, yes.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:45 o'clock, p.m.

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Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Wednesday, December 19, 1973

Morning Session

Speaker: Honourable Allan Edward Reuter

Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 19, 1973

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Orders of the day.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE
(continued)

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. E. Sargent (Grey-Bruce): Mr. Speaker, I'm not on the list, as the member for Middlesex South (Mr. Eaton) was ahead of me and if—

Mr. Speaker: I recognize the hon. member for Grey-Bruce.

Hon. E. A. Winkler (Chairman, Management Board): He is unable to be here.

Mr. Sargent: Thank you very much, Mr. Speaker. I do appreciate this chance to say a few words on behalf of my constituency. The fact is I do not approve of the budgetary policy of the government.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): I wish I had a chance to explain it to the member.

Mr. Sargent: I'm sure as hell glad the Treasurer is here, because if there is anybody who needs taking apart it's he.

Mr. J. M. Turner (Peterborough): The member is not the man to do it.

Mr. Sargent: Well, we'll see.

Politics has been defined as a process of taking money from the rich to buy votes from the poor on the pretext of protecting each from the other. In essence, Mr. Speaker, I think we lose sight of the long view of what this is all about, this Legislature. In fact, for 30 years now we have been watching this government in power and all it wants, in orchestrating the people of this province, is to continue to control business for their friends in this province. It continues to control the powers to delegate all the patronage and all the moneys that flow from the rights to control. We have watched this past week just how the government orchestrates on behalf of the people it is here to protect. In effect, the government has employed the top people, the top brains of the province, to give it the thrust to continue to stay in office, men like Fleck and men like Ian Macdonald, top-paid brains whose job it is to give it continuing gut issues to tell the people of Ontario that it should control the right to direct the funds of this province.

I say to you, Mr. Speaker, and to the Treasurer, that there was a case in point this past week where we had the government seeing a great gut issue. The cost of education is a very important thing to all those who pay taxes. So those who set the policy say: "Here's a great gut issue. We can set up the teachers as the scapegoats for the high rising cost of education."

May I say to you, Mr. Speaker, here we are in this province in 1973, broaching 1974, close to $7.5 billion or $8 billion in debt. Alberta and BC are debt free. The Treasurer has committed the government to another $3.5 billion for nuclear power developments, $1.5 billion for rapid transit, $1 billion for land acquisition; and only last week he had found that he had underbudgeted by $350 million. And the government has the audacity to tell the people of Ontario that the ceilings are the reason we had the teachers' strike, that they wouldn't adhere to ceilings.

The mistake the Treasurer made on one little piece of paper last week would have looked after all the ceilings for many years to come in education. So it's just a ploy where the government picks a group of people like teachers as the scapegoats today. It says they are the reason for the high costs of education. I suggest that is a phony issue.

The government has created this debt. Look back at what the Premier (Mr. Davis) has done in this province. Everything he

has done has cost us hundreds of millions of dollars—he and the Minister of Energy (Mr. McKeough) in concert, and the Treasurer. There has been about a billion dollars of expense in school consolidation which we did not need, and about a billion dollars in regional government which we did not need. And here they are talking about ceilings in education as being a valid argument for this bill. I think it is high time we had an informed public in this province know exactly what is going on.

We are paying about $1.5 million per day now, Mr. Speaker, on the debts we owe. When they accumulate this new debt they are committed to we will have accumulated about $2 million per day in interest on the debt we owe. We, the most dynamic province in this confederation, are in such a sorry state as this. No other state through the 50 states to the south of us is in such a position. Then they bring along a 40 per cent increase in sales tax, nailing the little guy who can least afford to pay for it.

That is the Tory picture from where I see it, having been in this business a long time. The Treasurer is not kidding me or anyone else who knows what they are talking about. Those are facts he cannot deny.

Hon. Mr. White: I haven't heard a single fact yet.

Mr. Sargent: I will sit down and the Treasurer can tell me where I am wrong on one single item.

Hon. Mr. White: On every one of them.

Mr. A. J. Roy (Ottawa East): Let the Treasurer hang his head in shame.

Mr. Sargent: I will sit down and let him reply if he wants to. He is such a hot shot. The government has its own Mr. Kissinger, I mean McKeough there, McKeough who is in Britain now trying to sell nuclear power.

Mr. W. Ferrier (Cochrane South): Gosh, the member is really elevating Darcy; I don't think he is the same as Henry Kissinger.

Mr. Speaker: I think the hon. member should refer to the minister by his portfolio, not his first name.

Mr. Sargent: The Minister of Energy, Mr. Speaker.

Mr. Speaker: Thank you.

Mr. Sargent: He has lots of it. Look around and everything that man has touched is translated into a loss of hundreds of millions of dollars. He has done nothing right. I wish he were here to hear what I am saying about him.

In our review of activities of the Treasurer of Ontario, we couldn't ever have an audit of the books of the province—an outside audit. When a new man came along, a man with a fresh new broom, he brought out a book with 132 pages. It translated into over $100 million in the misappropriation and mishandling of funds.

And this is the man, the former Treasurer, Mr. Speaker, who the first day he was appointed to the job of Minister of Energy retained Mr. Bob Macaulay at the rate of $75 an hour to be his legal adviser. I would like to see the bills we have had from Mr. Macaulay today.

The Minister of Energy was also involved in regional government.

Mr. J. E. Bullbrook (Sarnia): He got John Cronyn a job on the board of directors of Union Gas. He got Charlie McNaughton a job on the board of directors of Union Gas. I think he did very well.

Mr. Sargent: Well I think he is doing well. Mr. MacNaughton is also now on the board of Laidlaw Transport Ltd. He is appearing before the Highway Transport Board and getting new carrier licences. The former Premier of the province, Mr. Robarts, is now acting for Star, one of the major highway carriers. He appears with his briefcase before the Highway Transport Board, sits in the audience, and gets deals for them on new carrier licences. It's a game they have going—and we know all about it. The government wonders why we get so frustrated on this side looking at this nonsense going on; and we can't do anything about it, because—

Mr. Roy: Look at the member for Lambton.

Mr. L. C. Henderson (Lambton): Is the member for Ottawa East frustrated?

Mr. Sargent: There are, Mr. Speaker, some ethics in government. Yesterday it was revealed that the Premier of the province, in fact, in 1965, made a speech and he said that: "We are going to have a computerization in this province and we will have IBM doing the job for us." No tenders. And that marriage has continued for almost eight years now to the extent it's costing us about $1 million a year for this marriage to IBM. There are seven other major companies in

the field, but they can't get a look-in. These aren't tender call deals, Mr. Speaker; these are deals that have been set up in the initial concept by the Premier.

Mr. E. M. Havrot (Timiskaming): The member for Grey-Bruce doesn't mean that.

Mr. Sargent: In the budgetary setup of this province, I have submitted to the government new methods of financing, of obtaining new revenues, that will take the load off the little guy. I gave them the papers on the tax which is common in the United States today. It is a tax on intangibles, which taxes stocks, bonds and investments.

In fact, Mr. Speaker, there are hundreds of billions of dollars lying dormant in accounts, in stocks and bonds, across this province today, which are paying no taxes. If we tax those moneys, those idle funds, even a one per cent tax, Mr. Speaker, it would relate itself to a $250-million windfall for the Province of Ontario—taking the load off the homeowner in the Province of Ontario.

Now this isn't my idea, but it is a current practice in many states in the US. But when we tell the Minister of Revenue about this, he says he has never heard of it before. The Treasurer doesn't want to talk about it. But it's the fact that they will not move along new lines to break new frontiers in doing jobs for people.

Hon. A. Grossman (Minister of Revenue): Heard about what?

Mr. Sargent: Well, when the Minister of Revenue wakes up, I will talk to him about it.

Mr. Roy: Yes, wake up. The member for Grey-Bruce has the floor. The minister is out of order.

Mr. Sargent: Yes.

Mr. J. A. Renwick (Riverdale): Who is collecting the revenues for the province this morning while the minister is sitting here?

Hon. Mr. Grossman: They don't start coming in for about 15 minutes.

Mr. Sargent: If I may say to you, Mr. Speaker, that I didn't get far in school; but I did take a bit of fourth form Latin, and—

Mr. Roy: Hey, did the member for Lambton go to school?

Mr. Sargent: And there's a saying in Latin. It's "populus iamdudum de fututus est." That translates as: "The consumer has been screwed long enough." I think it would be a good slogan for any opposition party. That is a good translation, I understand. It is factual.

Mr. Roy: The minister didn't get that; the member had to translate it for him.

Mr. Sargent: I'll run through it again for the member for Lambton.

Mr. Speaker, in government today the press is the sole auditor of the expenditures and performance of government. The alternative, if we don't do something about it, is to remain in a rut; and this is eventually going to become a grave for the people of Ontario.

Mr. F. Laughren (Nickel Belt): A rut is but a shallow grave.

Mr. Sargent: In the hearings on Hydro, we heard of the Premier visiting Europe with Mr. Moog, talking about a loan for the Canada Square building. Mr. Moog got the OISE contract before, no tender on that one; and this was another proposal contract. We did hear that Mr. Moog had paid a $25,000 retainer to a lawyer not in the Conservative Party, but we didn't hear from the hearings how much Mr. Moog has paid the Premier's firm. If members will listen, I want to tell them about it.

The Premier has a legal firm in Brampton, which was acting for Mr. Moog.

Hon. Mr. Grossman: What party is the lawyer in?

Mr. Sargent: If the minister will listen—

Hon. Mr. Grossman: I am trying to identify which party that lawyer is in.

Mr. Sargent: The minister wouldn't know that, he is kind of behind the times.

Mr. Roy: The minister wouldn't understand.

Mr. Sargent: He is the only guy in Ontario who doesn't know, I will tell him that. The fuse is blowing on that one too, don't worry about it.

Mr. Roy: Give him a bit of Latin.

Mr. Sargent: We didn't hear from the hearings how much Mr. Moog had paid his Tory legal firm, which according to the press reports was being represented by the Premier's legal firm in Brampton. We don't know the fee paid to the Premier's firm by

Mr. Moog. That is one thing which didn't come out of the hearings. I think, in the shaking down of the whole Hydro-Watergate programme, the people of Ontario read between the lines exactly the route the government is going.

Mr. R. Haggerty (Welland South): He's got to have a building grant that's secured this Christmas.

Mr. Ferrier: They just tied in with Tricky Nixon.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): That party has got Charles Templeton.

Mr. Sargent: I am sorry the Treasurer is not here, Mr. Speaker. There is a new concept in government called zero budgeting. Every year when they put together a budget in many other administrations—

Mr. J. R. Breithaupt (Kitchener): It is not zero budgeting they know; it is zero performance.

Mr. Sargent: —each department and each ministry starts from scratch. In other words, it has to justify its existence every year. Many of the members who have been in municipal government know that when the council meets each year it starts from scratch and says: "We are going to try to adhere to a mill rate. We are going to try to say we are going to cut 10 per cent, if we can, across the board." This is the practice in many governments and other administrations, and we have on-going departments in this province, Mr. Speaker—

Mr. Haggerty: Municipal councillors are accountable to the electorate, but this government is not.

Mr. Sargent: Right. We have programmes going on in this government; many, as members know, have been going on for 20 or 30 years.

That shouldn't make any difference. The government should extend this zero budgeting blindly; and under zero-based budgeting each programme would have to be sold on its worth every year when the department comes, hat in hand, asking for money.

This may sound a little impractical but it is the only way we are going to get a good budget. The way things are in this province it is a very serious situation. I don't know whether the Minister of Agriculture and Food (Mr. Stewart) ever goes to a Cabinet Treasury meeting and they say: "You have to cut your expenses 10 per cent"? I don't know whether the Minister of Industry and Tourism (Mr. Bennett) or the Minister of Labour (Mr. Guindon), always say: "We are going to hold the line"; but every year we have increments of 10 to 15 per cent down the line—

Mr. Roy: Raise the increment and I'll take it.

Mr. Sargent: —with Parkinson's law in full flight in our growing bureaucracy; we now have 67,000 people in the civil service in Ontario, while 10 years ago we had 35,000, an increase of almost 100 per cent.

An hon. member: Shame.

Mr. Sargent: It's an on-going, loading-on factor. Eventually it will come to the point where there will be enough people in the civil service to keep that party in power.

Mr. R. F. Nixon (Leader of the Opposition): They don't care for them.

Mr. Sargent: But, Mr. Speaker, I say to you that when we have 105,000 teachers in the province, each one saying he is going to get 10 votes against the government next time, that's a scary situation.

Mr. R. F. Nixon: I think it's great.

Mr. Roy: That's right. They should resign right now and not take a chance in the next election.

Mr. Sargent: If any of the members opposite had stood out in front of the Legislature yesterday, they would have felt the electricity and the firmness of purpose of those people, and known that for once the Tory steam-roller wasn't going to run over them.

Mr. R. F. Nixon: There were a lot of them there from Lindsay.

Mr. Bullbrook: What about the member for Lambton? Who's going to run over him?

Mr. Sargent: That's quite a job in itself.

Mr. Roy: The member should tell him off. He shouldn't take that.

Mr. Henderson: Were there any there from Niagara?

Mr. Sargent: Mr. Speaker, I've been in election campaigns for a long time, and if we ever had an organization like that, 100,000 people behind one party—

Hon. J. W. Snow (Minister of Government Services): What makes the member think they'll be behind his party?

Mr. Sargent: I hope we get some of them, that's all.

Mr. Roy: The Minister of Government Services can be sure of one thing: they're not behind his party.

Hon. Mr. Snow: Oh, I wouldn't say that now!

Mr. D. M. Deacon (York Centre): "Snow must go!"

Mr. Roy: They had a sign that read, "Tories must go."

Mr. R. F. Nixon: No, the minister's name was right on the sign.

Hon. Mr. Snow: Not the ones I was talking to.

Mr. Roy: They weren't teachers.

Mr. Sargent: Mr. Speaker, some revelations that are important to my area of western Ontario came out of the hearings of the Ministry of Transportation and Communications with regard to freight rates. Freight rates in our area translate themselves into cost of living for our people and across the greater part of northern Ontario.

Hon. Mr. Snow: Great county—

Mr. Sargent: It was revealed, Mr. Speaker, that the transport carriers in the Province of Ontario set their own freight rates. I don't suppose that any more than five members in the House knew of that. I didn't know that.

Mr. R. G. Hodgson (Victoria-Haliburton): The member doesn't know anything.

Mr. Sargent: These people have a blank cheque; they set their own freight rates and submit them to the ministry, which approves them. This is one area where public hearings are needed in setting the rates.

I heard on the news this morning that Bell Telephone is requesting another increase in rates for January. They are asking for another increase in rates, but there never has been a hearing on freight rates. I think you will agree with me, Mr. Speaker, that this is a very important thing, not only to this area but to the outlying parts of the province. And just as Bell Telephone is required to justify asking for a rate increase, freight rates should be justified and not set by a monopoly group that controls the PCVs.

Mr. R. G. Hodgson: Stanfield will look after that right after next June.

Mr. Sargent: This is all provincial. It's all in the control of this government.

Mr. Roy: Don't blame it on Stanfield. He's got enough problems.

Mr. Sargent: For example, Mr. Speaker, to show you the monopoly control—

Mr. R. G. Hodgson: He will straighten out that Ottawa situation.

Mr. Roy: The member shouldn't hold his breath.

Mr. Sargent: North of North Bay, two carriers have monopoly control of all the freight. They are Dominion Consolidated, which is Lord Thomson's fleet operation, and Star. They have monopoly control of all the freight up in the area of the Minister of Community and Social Services (Mr. Brunelle)—

Hon. R. Brunelle (Minister of Community and Social Services): There's another one. Alary Transport. So there are three.

Mr. Sargent: Well, the hearings were only told of two. But regardless of that, the monopoly control situation is bad. In other words, Mr. Speaker, a PCV monopoly control licence in effect is a blank cheque; they can write their own rates; and it's dangerous. And I'm surprised and disappointed that the Minister of Transportation and Communications (Mr. Carton), is not doing anything about it. He says that he's thinking about it.

Mr. G. Nixon (Dovercourt): That means he's doing something.

Mr. Sargent: Well, he's thinking about it—

Interjections by hon. members.

Mr. Sargent: That's one thing that'll have to be done early, Mr. Speaker. Perhaps you can get it across to the minister that we're going to raise hell about that if it isn't looked after.

Mr. Roy: That's right. How can the Minister of Community and Social Services tolerate these situations?

Mr. Sargent: We are hearing a lot about the Minister of Industry and Tourism working on a deal now. He is going to spend $42 million north of North Bay on a thing called Maple Mountain.

Mr. Roy: That's him, the Minister of Tourism.

An hon. member: Has the member for Algoma anything to do with this? Nobody wants to buy his maple syrup?

Mr. B. Gilbertson (Algoma): Ask the member for Timiskaming.

Mr. Sargent: He will not tell us whether there is a project going ahead, but I understand the minister spent some $300,000 to find out whether he is going to go ahead or not. That's a lot of money.

Hon. C. Bennett (Minister of Industry and Tourism): All in the fullness of time.

Mr. Sargent: It's a lot of money to—

Mr. Roy: How long did it take the minister to spend $300,000?

Hon. Mr. Bennett: All in the fullness of time.

Mr. Roy: How long did it take him to spend $300,000?

Hon. Mr. Bennett: I haven't spent a nickel yet. I can't.

Interjection by an hon. member.

Mr. Roy: How much did he spend in Las Vegas? That's what I'd like to know.

Interjections by hon. members.

Mr. Roy: Did he make any money?

Hon. Mr. Bennett: I didn't make a nickel. I'm not a big roller.

Interjections by hon. members.

Mr. Roy: He's not a big roller? I'll agree to that; he's not a big roller.

Mr. Sargent: The government is going to build a $6 million road—

Hon. Mr. Bennett: The member is—

Mr. Roy: The big roller is behind him.

Mr. Sargent: —from North Bay north.

Hon. Mr. Bennett: No doubt he is. The size alone would tell the member that.

Interjection by an hon. member.

Mr. Sargent: Did he make any money in Vegas or not?

Mr. Roy: He doesn't want to say. He bought a new suit.

Mr. Sargent: Who was backing him there? The province?

Hon. Mr. Bennett: I didn't make enough to pay off the member's debts.

Interjection by an hon. member.

Hon. Mr. Bennett: No, no. The member for Grey-Bruce, I understood. They tell me there is none better in this House to do it.

Mr. Sargent: The government is going to spend $6 million on a road 85 miles north of North Bay, and the total package is going to cost $82 million.

Mr. R. G. Hodgson: Is the member for it or against it?

Mr. Sargent: I want to tell the minister, if he does that he's got rocks in his head.

Mr. Roy: Has he got rocks?

Hon. Mr. Bennett: I have not answered that; I had better keep quiet.

Mr. Sargent: We had a news release here a few weeks ago that a developer in Toronto made $1.5 million in 15 days on a land speculation deal.

Mr. R. G. Hodgson: That's faster than the member makes it.

Mr. Sargent: He purchased land from Victoria Property Investment for $3.8 million and sold it to Cadillac Development for $5.5 million, an increase of $1.7 million in 15 days.

Hon. Mr. Grossman: There are the big rollers!

Mr. Sargent: That's the game all right, in land development. But my concern is that here is a multi-billion-dollar business; the province could pick up hundreds of millions of dollars each year if it would institute a tax on land increment, but it does nothing about it.

Here's a group which made $1.5 million through no work of its own. Of the increase in this profit, no one receives any part of it. The municipality receives no part of that profit. A tax on land increment would be a great revenue producer for the Province of Ontario. It is in force in Europe—

Hon. Mr. Grossman: Of course, we receive a part of it. They pay income tax on it.

Mr. Roy: Does the government get part of the capital gains?

Mr. Sargent: The minister doesn't understand again. He doesn't understand.

Hon. Mr. Grossman: Everybody gets a part of it.

Mr. Sargent: Let him talk, Mr. Speaker, it's—

Mr. Roy: Does it get part of the capital gains?

Hon. Mr. Grossman: No capital gains, but corporation and income tax from which municipalities get grants.

Mr. Sargent: That's a very big subject. The minister should read up on that too.

Mr. R. F. Nixon: We will send him over some stuff.

Mr. Roy: Yes. They are phasing that out?

Hon. Mr. Grossman: Not on corporation tax.

Mr. J. P. Spence (Kent): He doesn't want to learn, though.

Interjections by hon. members.

Mr. Roy: He shouldn't only concentrate on children's clothing.

Interjection by an hon. member.

Mr. R. F. Nixon: It doesn't affect me.

Mr. Sargent: Mr. Speaker, we have a hospital in Owen Sound. It is an old hospital, some 300 beds, and we have been trying to get an expansion programme there. We have the best physicians and doctors and surgeons in the Province of Ontario in Owen Sound. This is a fact. We have been trying to get an expansion to our hospital for a long time, but the board has been told that it has the wrong member of Parliament; that nothing will happen in hospital expansion as long as Sargent is the member of Parliament.

Mr. Roy: Playing politics with the lives of individuals.

Mr. Sargent: This is a fact.

Mr. E. R. Good (Waterloo North): That's what they do.

Mr. Roy: Yes. It's time for a change.

Mr. Sargent: We have seen, in the past year, a new hospital in Hanover—the main town of the Chairman of the Management Board. A new $4 million hospital has been erected there, and the hospital is half full—no more than half full at any time. They have a new therapy department there which it not operating. But our halls are full all the time; we are in a very desperate situation.

Our nursing homes have been cut down. They've cut down our bed ratio. People who have to stay in the hospital are paying $70 to $80 a day because there are no nursing homes for them to go to. We have a vicious circle.

The reason I'm bringing this up is the injustice of the fact. I know all the members opposite, and I know that they're fair-minded people, but it's the policy of the government. Individually the ministers are fair-minded, but as a group of people they are a bunch of bastards in the way they use politics.

Interjections by hon. members.

Mr. Speaker: Order, please. We have permitted some peculiar language in this chamber during the past few weeks, but I think the hon. member went just a little bit too far.

Mr. Sargent: Mr. Speaker, I said collectively, but it's a bit rough.

Mr. Speaker: Perhaps you could use another word.

Mr. Sargent: But it's a good English word. It's in the dictionary. I'll change it to political scoundrels. How's that?

Mr. Speaker: That's better.

An hon. member: That's a good word.

Interjections by hon. members.

Mr. Sargent: I'll take that back but they know what I think about their policies.

An hon. member: And individually, the member knows what that means.

Mr. Speaker: Order.

Mr. Sargent: I've discussed this at some length with the Minister of Health (Mr. Potter).

An hon. member: It's a good word to withdraw.

Mr. Sargent: He has assured me he has the situation under control. The fact is, Mr. Speaker, that they use their political weight to disenfranchise areas and they work this whole deal on a geographic base. I wouldn't suggest that there will be gerrymandering in the next redistribution, but if there is one area in which there will be gerrymandering it could be in my area. The Premier made a major speech in western Ontario and there was a six-column headline, which I wish I

had here now, "Davis' Main Ploy Is to Get Rid of Sargent." I hope that is not translated down through the areas to the redistribution group which will set up the new boundaries, but they have some boundaries that could really knock me out of the ball game if they wanted to.

An hon. member: They'll never knock the member out, no matter what they do to the boundaries.

Mr. Bullbrook: They can't do it.

Mr. Sargent: I'd like to put my oar in about the moneys we've spent in the area of the Pickering Airport.

Interjection by an hon. member.

Mr. Sargent: Mr. Speaker, the Minister of —Mr. Clement—I can never think of his title; he flies an aircraft. He knows what I say is true, that there isn't a man who flies a plane in Canada who can see one bit of sense in the new airport at Pickering.

Mr. Haggerty: The hon. member for Niagara Falls can land an aeroplane in a cornfield.

Mr. Sargent: There isn't one Air Canada pilot who will agree there is a need for another airport.

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): The member doesn't know that.

Mr. Sargent: There's never a time when one can't get into Malton. The minister knows that. In the list of busy airports in America, Malton Airport is No. 67. In other words, there are 66 airports in America busier than Malton. Not one Air Canada pilot says we need another major airport here. I wonder who is carrying the torch for this, whether it is the Ontario government or the federal government.

Mr. R. G. Hodgson: It is federal money.

Mr. Sargent: Well, we don't know. The fact is that when we talked in there about—

Mr. Roy: The member for Victoria-Haliburton's leader should take a stand on it. He's been waffling.

Hon. Mr. Grossman: The member for Ottawa East's leader has no power in Ottawa.

Mr. Roy: How can the Minister of Revenue talk on that? He can't even fly an aeroplane.

Interjections by hon. members.

Mr. Speaker: Order.

Mr. Sargent: We talked about $100 million or more in this package. I think it's criminal when we have 30,000 or 40,000 teachers come here and they have ceilings on their industry, and the government tries to blame the ceilings on the lack of money.

Hon. Mr. Clement: Does the hon. member ignore ceilings when he is flying?

Mr. Sargent: Always leave a fire, John, always leave a fire.

Mr. Roy: Does the minister realize he is out of order?

Mr. Sargent: Well, the Minister of Correctional Services (Mr. Apps) is the best co-pilot I know. That's all I can say.

Interjection by an hon. member.

Hon. Mr. Clement: He was saying his rosary—and he isn't even Catholic. He was playing it safe.

Mr. J. E. Stokes (Thunder Bay): He is one of those "white knuckle" pilots.

Mr. Sargent: Mr. Speaker, we have the situation where we have hundreds of millions of dollars in pension funds and the government use this money for their purposes, although this money doesn't belong to them.

The Ontario Association of School Business Officials point out that on Dec. 31 of this year there will be $154 million up for reinvestment, and their concern is that the government wants to reinvest this money at five per cent on $74.2 million and 6.5 per cent on $79 million, while the current rates are 8.5 per cent.

Although there is a great area of concern in this money for reinvestment, the government in the final analysis will use these funds which rightfully should be put out at proper investment rates.

Mr. Speaker, sooner or later we are going to have to legalize gambling in Ontario. It will be bingo, lottery or offtrack betting; or all three. It is not a moral question—

Mr. Ferrier: I think it is a moral question.

Mr. Sargent: We already have legalized gambling here at the racetracks, under provincial supervision, and the province is getting a good hunk of the take, I think.

The racetracks have a monopoly on legalized gambling, and naturally they fight any competition. Ontario is one of the richest

provinces in Canada, and Parkinson's law works here just the way it does any other place: spending rises to meet the income. So no matter how many billions of dollars pour in, the government is always a jump ahead in spending.

There aren't many questions in Queen's Park on which there is virtually unanimous agreement, but one is that the province is going to continue to raise taxes or make new ones. Which would be the fairest way to raise, say, $50 million? Another half per cent increase on the sales tax or an Ontario lottery? The poorer one is, the more the sales tax hurts. It is a soak-the-poor tax, the sales tax.

I say we should have a province-wide lottery in Ontario. One of the arguments against a lottery and bingo is that the poor aren't supposed to have enough will-power to resist them, but at least they would have a choice. In the sales tax they have no choice. They don't have to buy a lottery ticket, but there is no choice in the sales tax.

The New York Legislature decided to put the question of a state lottery to the voters. It was overwhelmingly approved and the state now is reaping very handsome profits from that. They had expected to raise $100 million in New York State from the lottery there.

Some opponents insist that because they are gambling they are unmoral and immoral, and the churches are opposed to them, as most of the people are. But in my opinion, Mr. Speaker, is that it is convenient cover for the real opposition, which is from the racetracks. Some members of the Legislature own a great deal of racetrack stock, and they guard against laws that are not beneficial to the tracks. The argument that gambling is wrong and should not be tolerated by the province is absurd, as long as the province continues to participate in gambling at the racetracks. I'm convinced that the people of this province, if it were put to a vote, would vote in favour of a lottery in this province.

Mr. Roy: Meanwhile we've got the Solicitor General (Mr. Yaremko) chasing after pinball machines.

Mr. Sargent: Unjustly so—unjustly so.

Mr. Speaker, I have often felt, as I travel about in my business and I go to many states I see that in their airports they have an airport head tax; it's an easy way to raise a very large sum of money. In the Province of Ontario we could have it that anybody leaving the province by air would have to pay a $2.50 head tax. This would result in a very handsome tax and a new source of revenue for the province.

In closing, Mr. Speaker, my main concern is this: We have a beautiful province here. We have everything we want; a dynamic operation—we are all very happy.

Interjections by hon. members.

Mr. Sargent: A lot of things are wrong—a lot of things are wrong.

Mr. Roy: Don't applaud too quickly!

Mr. Sargent: What happens when a farmer has paid tax on his land all his life? He can't sell his own land. What happens when a small businessman can't get any help because a man can get more money on welfare than he can working for a living?

An hon. member: Right on.

Mr. Sargent: What happens when all the tax and assessment is controlled from one source, Queen's Park?

Mr. G. Nixon: Ottawa.

Mr. Sargent: I'm talking about the assessment and taxation in Queen's Park.

What happens when the municipalities we elect to control our affairs across this province under what we call the democratic process control less than 15 cents on the dollar? Maybe it's 11 cents on the dollar now.

These are some of the things that concern me, Mr. Speaker, that we have a centralization of control in Queen's Park and we have the arrogance of this government which—and this is a case in point this past few days—have seen they can take a gut issue like teachers and play them against ceilings and say: "This is a gut issue we will use."

Mr. R. G. Hodgson: Does the member want them off or on?

Mr. Sargent: In this case I think we'd have to sit down and review the case. Are the teachers getting enough money? I don't know.

Interjection by an hon. member.

Mr. Sargent: But I can tell you, Mr. Speaker, that the sole architect of this whole school set-up was the Premier and he has cost us untold hundreds of millions of dollars in setting up this school consolidation. To transfer the blame to the teachers is unreal and unfair. I think we must equate this—

Mr. R. G. Hodgson: The member should go back to story-telling.

Mr. Good: It's not going to work.

Mr. Roy: No, he's just going back to the Davis era. Is the member for Victoria-Haliburton ashamed of that?

Mr. Deacon: The teacher has some role to play instead of being a stick in front of a classroom.

Mr. Gilbertson: Just imagine what it would be like if the member was the Premier.

Mr. Roy: Who is the member for Algoma talking to?

An hon. member: Not the member for Ottawa East. He's the last one we'd choose.

Mr. Roy: There are a few candidates here.

Mr. Sargent: My only concern is, Mr. Speaker, that we do have a great future, but we have these things wrong and the government has the control to rectify these things. I hope that those people yesterday will become active participants in the drama of our country—and they are a great force, 100,000 people who can set up a new power in this province that can perhaps bring us a bit of justice here. Those fellows opposite come here year after year and they think that they are almost God—well, they aren't. They can see what happened in BC and Alberta—or in BC and Manitoba and Saskatchewan—

An hon. member: And Alberta.

An hon. member: It happened in Alberta.

Interjections by hon. members.

Mr. Sargent: —and it could happen to them too.

Mr. Roy: It will happen.

Mr. Sargent: I hear complaints across the land about politicians, and we have had enough of it in this province. The credibility of this Premier has been very seriously in doubt—

Interjections by hon. members.

Mr. Sargent: Now he is going about the province doing a Nixon.

Mr. R. K. McNeil (Elgin): Tell us about the leadership convention.

Mr. Sargent: I didn't come out too well and I'm sorry.

Mr. Roy: That is past now; we are talking about the present.

Mr. Henderson: Tell us about the future.

Mr. Roy: Keep going. I'm convinced that they are a bunch of—

Mr. Sargent: But who sends these politicians to Queen's Park or Ottawa or city hall? It's the people. If they got informed, if they heard what I was saying today—and there is no chance they will—

Mr. R. B. Beckett (Brantford): Where is the press?

Mr. Sargent: Is there one there?

Mr. Roy: Good old Canadian Press.

Mr. Sargent: But if they knew the way the government operates—

Interjections by hon. members.

Mr. Sargent: —I suggest that there would be a new force in this province that could do things for the ordinary man.

Mr. Roy: A new government in 1975.

Mr. Sargent: That's right.

I do have great faith in an informed people, but the way things are going, Mr. Speaker, unless we have more dynamic groups like the teachers come into the act then we are in trouble in this province. Thank you very much, Mr. Speaker.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: Mr. Speaker, before getting into the main import of my remarks I would like to take this opportunity to thank you and the Deputy Speaker for the assistance, courtesy and fairness that you and your office have shown members of this party. I would like to thank the people of the Clerk's desk here for their assistance in helping us make the House run more smoothly. I would like to thank the Hansard staff for their assistance and their dedication to a very difficult job.

I want to wish all of you the very best in the festive season and hope that we can come back in the new year rejuvenated and with a government that is more aware of the needs of the people in this province than it seems to have demonstrated over the past several weeks.

Mr. Speaker, I want to spend a few moments on several unrelated topics dealing with the new awareness that the Premier seems to be trying to inculcate in members of the government, trying to lead the public

out there to believe that they are really in touch with the problems facing people of all walks of life. I am sorry that the Minister of Industry and Tourism has seen fit to leave the chamber, and his colleague the Minister of Community and Social Services, because I had hoped to talk directly to them or the next few moments to share with them some of the views I have concerning the needs of the people in northern Ontario.

Many of the members might have read a series of articles that have appeared in the Toronto Star of late written by Warren Gerard. He made a comprehensive tour of northeastern Ontario, and in the articles those who weren't already aware were made aware of the particular needs and the particular frustrations being experienced by people in that part of the province.

Since we've had a change of Speakers and my colleague the member for Cochrane South now occupies the chair, I can really, truly know I have the attention of the Speaker when I say the area he represents is really and truly one of the forgotten areas of the province as far as this government is concerned.

Mr. R. G. Hodgson: The member who is now in the chair speaks out well for them, he talks about it constantly.

Mr. Gilbertson: We all try to take care of it.

Mr. Stokes: Well, as long as we have members like the member who now occupies the Speaker's chair, I am sure the problems will be brought to Queen's Park in a forthright and honest, and a sincere and a dedicated manner. If we could get a few more people of his calibre elected across the province, I wouldn't be standing here telling members of the needs of those who have been neglected by the inability, or the unwillingness, of this government to come to grips with the needs of the people.

Mr. C. T. Rollins (Hastings): Don't worry, he is only there on a temporary basis.

Mr. Stokes: I often wonder, Mr. Speaker, what it is in the makeup of men who occupy those benches over there that makes them so insensitive to the needs of the people.

We get headlines in the Toronto Star like those of last Saturday, Dec. 15, saying: "Ontario's Northland Fighting for Its Life as the Young Flock Out." Now those few words, Mr. Speaker, demonstrate the utter frustration of the youth in the north, our most precious resource, who find they have to leave a way of life that's so near and dear to them and come down here to this asphalt jungle to find a job.

I think it's fair to say, Mr. Speaker, that the reason the New Democratic Party has enjoyed the electoral success that it enjoys in the northern part of this province is because the New Democratic Party is truly the only party that is sensitive to the needs of people in this province. I think it's not so much a matter of partisan politics as it is the fact that the New Democratic Party attracts the kind of people who are sincerely and genuinely concerned about the needs of people.

Mr. Deacon: I think all of the parties attract that kind.

Mr. Stokes: I don't think they do, I don't think they do. I think in the northern part of the province they aren't as preoccupied with partisan politics as they are in some areas. They look for a person who is genuinely concerned about their social and economic needs, who comes down here in an open-handed way and speaks on behalf of those people.

Mr. Deacon: I think the New Democratic Party has its share of those involved in partisan politics.

Mr. Stokes: I am sure they have, I am sure they have, but I—

Mr. Bullbrook: I think the member for Thunder Bay and the member for Nipissing (Mr. R. S. Smith) are examples of what the member is saying. I think that's agreed.

Mr. Stokes: Well, it's unfortunate that our colleague from Nipissing isn't here, because I think he would agree with some of the sentiments I am trying to express this morning when I stand up and talk about the needs of the people in Armstrong, an unorganized community in northern Ontario. This was alluded to by my friend, the member for Cochrane South when he entered this debate yesterday.

As a result of action by the federal government we have three communities across the province that are losing their economic base by virtue of the fact that the federal government has seen fit to close out radar bases. One of these happens to be in my riding of Armstrong.

They have been fighting for economic and social justice for many years in these communities. They have lost their total economic

base, or will soon lose it, as a result of the closing of those air bases, unless this government, in concert with the federal government, undertakes a commitment to provide them with an alternative. At Armstrong we have an entrepreneur who is ready to go in and construct a sawmill with the capacity of 50 million board ft a year that will provide anywhere from 100 to 150 jobs, and we have no commitment, as yet, from this government or the federal government that that undertaking will become a reality. We have millions and millions of cunits of timber lying on Armstrong's doorstep just waiting for development.

I said earlier that I wished the Minister of Industry and Tourism had seen fit to stay in the chamber so that he could pay some attention to the remarks I was making on behalf of the Armstrong area, so that the people who are going to be forced to move out or go on welfare will be given an opportunity to be gainfully employed and to enjoy the kind of lifestyle that they hold so near and dear along with many other people living in the northern part of the province.

Associated with the economic needs of the people of Armstrong is the complete lack of services that I and the other members living in the more affluent areas of the province, take for granted. I want to quote, Mr. Speaker, a few paragraphs from an article that appeared in the Toronto Star entitled, "Indian Leader Wants Better Deal for His People." I am talking about the native people.

For the past three or four years, Mr. Speaker, in concert with the people of Armstrong, I have been trying to get a potable water supply for that community. The Minister of the Environment (Mr. Auld), the Minister of Health (Mr. Potter) and the Premier himself have made commitments to the people of Armstrong that they would enjoy some kind of assistance to provide something as basic as a safe and drinkable water supply for their community. In spite of all the promises and all the commitments by this government, this is still not a reality.

I want to quote from the article. It is datelined Armstrong:

> It was a day likely to stick in Premier William Davis's mind—a confrontation with a bristling Indian leader during a political fence-mending foray into northern Ontario early this fall.

This is one of those new awareness junkets that we hear so much about.

> Water was the problem—drinking water that was polluted in that land of sparkling lakes and rivers. Hector King told the Premier, after months of searching for help, all the Indians of this unorganized community 180 miles north of Thunder Bay could get was a recommendation to pour Javex into their wells. He had drunk so much Javex lately, said King, that he was afraid he was turning white.
>
> The meeting with the Premier was in October, and the water tasted bad then but was safe to drink. But if nothing was done before the freeze-up just a few weeks away, it would be too late to correct the situation before spring.

I want to report to this House that I was talking to Armstrong the day before yesterday. Nothing has happened to assure them of an adequate and potable water supply, the wells are frozen, and they are either going to have to haul drinking water from as far as half a mile away or melt snow and boil it so they will have an unpolluted supply of water.

I could go on at great length documenting the runaround that the people of Armstrong have had over the past two or three years in their search for an adequate supply of water. I am not going to take the time of the House to document that sorry exchange of communication, both oral and written, over the past three years.

I think I would be remiss, Mr. Speaker, if I didn't bring to the attention of the House that there are a good many people in this province who have yet to be assured of a ready supply of drinking water. In a province that has 250,000 lakes, we have a community on the main line of the Canadian National Railways which is forced to pour Javex into its wells so that the people won't poison themselves or become sick or ill as a result of drinking the only water that happens to be available to them.

I want to refer to another area where I think this government has been remiss, Mr. Speaker. It's in the delivery of health services to communities in the more remote areas of the province. You may recall, Mr. Speaker, I asked a question of the Minister of Health concerning the closure of a Red Cross hospital at Beardmore. He told me, in answer to my question, that there was a reply to a letter I had written earlier, and it would be on my desk within a matter of minutes. I talked to the minister this morning. He still wasn't able to give me a response as to whether or not there was going to be a commitment or an undertaking by his ministry to see that ade-

quate health facilities would be maintained in the town of Beardmore.

They have had a small hospital, however inadequate, for the past 20 or 25 years, since the economy of that town was based on the gold mining industry. As you know, Mr. Speaker, many of the communities in the north have lost their economic base and are just struggling for existence. They still have a small hospital that's operated by the Canadian Red Cross. They have been served notice that, as of May 1, their small hospital will be closed. As yet, I've had no undertaking from the Ministry of Health there will be some financial assistance forthcoming to provide or to maintain an adequate health facility in that community and a facility that will entice the doctor to remain there. There has been no commitment at all on behalf of this government to provide basic needs, needs that everybody is entitled to in this province and needs that you and I take for granted, in the more heavily populated parts of this province.

I'm wondering, in this "new awareness" caper that the Premier and his ministers have undertaken of late, just how long they think the people in northern Ontario are going to swallow this gobbledygook. They're not committed to the kind of programme that's going to bring many communities in northern Ontario into the mainstream of social and economic justice in this province.

I want to get into another area, Mr. Speaker, and deal with the high cost of living. We all welcomed the news that was made public by the Premier a few months ago when he said that the Province of Ontario was going to use the Ontario Northland Transportation Commission to bring down freight rates in northeastern Ontario. In talking to my colleagues who represent that part of the province, I see no evidence whatsoever that those policies have in any way brought down the cost of living and the cost of consumer goods to those areas of the province served either by the Ontario Northland Railway or the freight lines that serve that part of the province.

I wanted to share with the House, Mr. Speaker, a survey that was undertaken in the far northern communities that are represented by my friend, the Minister of Natural Resources (Mr. Bernier) and myself, in the ridings of Kenora and Thunder Bay. And I don't know, Mr. Speaker, whether you will allow me to hand this survey over to Hansard so it can be reproduced in there or whether you want me to read it into the record but, one way or another, I am going to make sure that it gets there.

Mr. Speaker: I wonder if the hon. member will read it into the record.

Mr. Stokes: I want to call the attention of members of the House to the fact that a can of Carnation milk in Angling Lake costs 37 cents; in Bearskin Lake 36 cents; in Cat Lake, 37 cents; in Deer Lake, 35 cents; in Fort Severn; 36 cents; in Kasabonika, 45 cents. A 24 oz loaf of bread in Bearskin Lake costs 60 cents; in Fort Severn, when you get it, it costs $1; in Kasabonika, 90 cents. A pound of sugar in Angling Lake costs 29 cents; in Bearskin Lake it costs 36 cents; in Cat Lake, 30 cents; in Deer Lake, $1.45—a pound of sugar, Mr. Speaker.

Coffee, in Angling Lake, is $1.18 a pound; in Fort Severn, $1.50 a pound; in Kasabonika, $2. A pound of tea in Angling Lake will cost you $1.65; in Deer Lake it'll cost you $1.70; and in Kasabonika it'll cost you $1.85.

A pound of butter in Angling Lake will cost you 98 cents; in Bearskin Lake, it will cost you $1.05; in Deer Lake it'll cost you $1.10. A pound of margarine in Angling Lake will cost you 63 cents, and in Bearskin Lake it will cost you $1.10. A pound of flour in Angling Lake will cost you 17 cents; in Bearskin Lake it will cost you 24 cents; and in Kasabonika it will cost you 28 cents—a pound of flour, Mr. Speaker.

Meat—hamburger: In Angling Lake it will cost you $1.20; and in Kasabonika it will cost you $1.25.

A pound of butter in Sachigo, which is in the riding of my colleague from Kenora, will cost you $1.30; in Sandy Lake, also in the riding of Kenora, it will cost you $1.45. Hamburger in Sachigo, again in the riding of Kenora, will cost you $2 a pound; in Trout Lake, in the riding of Thunder Bay, it will cost you $1.85 a pound.

Gasoline, Mr. Speaker: In Anglin Lake a gallon of gasoline will cost you, and does cost the people living in that community, $1.50; in Bearskin Lake, a gallon of gasoline will cost you $1.45; in Cat Lake, $1.89; in Kasabonika, it costs $2 for one gallon of gasoline.

Oil mixing with gasoline for snowmobiles, outboard motors for commercial fishing and for trapping: A quart of oil in Angling Lake is $1.35; In Bearskin Lake it's $1.85; and in Kasabonika, a quart of oil will cost $1.85.

Fuel oil, heating oil: In Angling Lake it will cost $1.50; it's also $1.50 in Bearskin

Lake and in Kingfisher Lake. To give the members some idea, I think it's about 25 cents to 26 cents a gallon here in Toronto. They're paying pretty near five times as much in the northern part of the Province of Ontario.

Gasoline in Muskrat Dam, which is in the riding of Kenora, is $2 a gallon.

Mr. Gilbertson: How many people?

Mr. Stokes: Does it matter? Does it really matter how many people live there? They are citizens of the Province of Ontario—

Mr. Gilbertson: Certainly it does.

Mr. P. J. Yakabuski (Renfrew South): It's a reasonable question. Why doesn't the member answer it?

Mr. Stokes: About 200 people. That's the problem with the government members over there. Unless there are a lot of votes in these communities and unless it's going to re-elect them, they couldn't care less about the people living in the remote areas of this province.

Interjections by hon. members.

Mr. Stokes: They are completely insensitive—

Mr. Yakabuski: That is dishonest.

Mr. Stokes: I am not dishonest. Those are figures that are—

Mr. Yakabuski: I'm not talking about the figures. I'm talking about what the member just said.

Mr. Stokes: Like what?

Mr. Yakabuski: It is dishonest.

Mr. Stokes: Mr. Speaker, I challenge that member—

An hon. member: To a duel.

Mr. Stokes: No, no, not to a duel at all; to state what I have said that is dishonest. He is calling me a liar and I want him to either withdraw, or to prove that anything that I have said is untrue.

Mr. N. G. Leluk (Humber): Talk about vote-getting; look at the opposition yesterday and that demonstration.

Mr. Speaker: The member for Renfrew South did call into question and state that some of the statements of the member for Thunder Bay were dishonest. I think that's an unparliamentary use of the word and he should withdraw it.

Mr. Yakabuski: At your suggestion, Mr. Speaker, I have no hesitation about withdrawing my remark. I just wanted to make the point, sir, that the member was asked a question. He didn't answer it. He just started to skirt around and shoot off all kinds of other figures and things; and if he had no hesitation about giving the answer, he should have given it.

Mr. M. C. Germa (Sudbury): Withdraw.

Mr. Gilbertson: Let's prove it and see how many people live there.

Mr. Speaker: I think that the member is not to respond to the interjections. I think that's out of order as well. I shall ask the member to proceed with his speech.

Mr. Stokes: These figures that I am quoting are from a survey done by a very dedicated employee of the Province of Ontario. He is a civil servant who took the trouble to go to all these communities to make an accurate survey of the cost of consumer goods in them. For the member to suggest that they are not valid because few people live in these communities just doesn't hold water.

These aren't figures that I have cooked up. These are figures available to anybody who wants to take the time to go to these remote areas of the province and see how these people live. For the member for Renfrew South to suggest that I am being dishonest or that I am trying to—

Mr. Yakabuski: Does the member want to keep at it? He is always twisting—

Mr. Stokes: I am not twisting anything at all.

Mr. Yakabuski: Let it lie.

Mr. Stokes: It doesn't matter whether there are 10 people living in a municipality or 10,000, the fact remains that they are being gouged. They are being gouged in many cases—

Mr. Gilbertson: Well, it costs money to get the provisions up in those areas where 10 or 15 people live.

Mr. Stokes: Let's go into that.

Mr. Gilbertson: A trapper has got to pack a lot of stuff on his back to reach a lot of those places.

Mr. Stokes: No, they don't have to pack it on their backs to get into those places!

Mr. Gilbertson: If they carry milk or sugar or something to the people away up there, they want to get paid for it.

Mr. Stokes: Mr. Speaker, let's talk for a few moments about the way in which people get provisions in these remote areas in the province. Five years ago the Ministry of Transportation and Communications undertook to build airstrips in remote areas of the province. They built an airstrip at Sandy Lake; they built an airstrip at Big Trout Lake; they have an airstrip at Fort Severn; they have an airstrip at Attawapiskat—

Mr. Yakabuski: The member is always saying we don't do anything in the north, and here he is rhyming off item after item.

Mr. Stokes: Just listen. Why did the government spend hundreds of thousands of dollars to construct airstrips in the north? I was told and was led to believe that they were building those airstrips to bring down the cost of consumer items in remote areas of the province.

Now, they are landing DC-3s on many of the airstrips that I just mentioned. I defy anybody in this chamber or in the province to prove to me that any of the economic benefits that have accrued as a result of the building of those airstrips have accrued to the people who are paying the shot. The taxpayers built those airstrips, and if anybody is getting any economic benefit it is the air carriers—not the taxpayers in the province, not the people who are paying these exhorbitant costs.

The government, by the construction of airstrips, was subsidizing the air carriers that serve those areas, and the people again are being gouged even more. So for the member to say that they have to pack supplies on their backs is just utter nonsense, and it just shows how out of touch he is with the reality of life in northern Ontario.

Mr. Gilbertson: But those private air carriers are costing some money.

Mr. Stokes: Don't hand me that garbage. The government is subsidizing the air carriers but it is the people, the consumers of the province, who are still getting gouged.

Mr. Germa: Subsidizing private profits.

An hon. member: If I read it right, he doesn't want those.

Mr. E. W. Martel (Sudbury East): Oh, no, the government wants to subsidize its friends. That's what it calls "free enterprise."

Mr. Stokes: Gasoline costs $2.25 per gallon at Sachigo Lake—and don't take my word for it, don't take the word of this honest and dedicated civil servant; ask the member for Kenora, the Minister of Natural Resources. He will confirm what I am saying. Sachigo Lake is in his riding, and the people of Sachigo are paying $2.25 a gallon for gasoline.

Mr. Good: How many dealers are up there?

Mr. Stokes: About the only dealer up there is the Hudson's Bay Co.

At Sandy Lake in the riding of Kenora, where this government spent hundreds of thousands of dollars to construct an airstrip, people are paying $1.75 per gallon for gasoline. At Trout Lake in my riding, where we have got an airstrip—I landed on it about two weeks ago on a Twin Otter—they are paying $1.60 a gallon for gasoline. And do you know what they are paying for oil-gas mixture? $1.95 a gallon.

Mr. Yakabuski: I wonder what it is in northern Saskatchewan or northern British Columbia.

Mr. Stokes: I don't know what it is. I'm not concerned about what it is. I was sent down here to represent the people in the riding of Thunder Bay; that's what I am concerned about.

Mr. Yakabuski: Well, the member compares the figures from those provinces—

Mr. Stokes: If the member for Renfrew South were a little more preoccupied with the needs of the people in this province, he would be much better advised.

Mr. Yakabuski: He always refers to the other Socialist provinces when he is discussing other things.

Mr. Stokes: And if he wants to find out—

Mr. Yakabuski: Three days from now he will be referring to them again.

Mr. Stokes: If the member wants to find out what the costs are in northern Saskatchewan, I suggest he go up there.

Another area that I want to get into, Mr. Speaker, is the high cost of construction. The highest average construction cost per square foot for new bungalows financed by CMHC is out in Prince Albert, Sask.—there's one for the member— at $22.75 per square foot. The city of Thunder Bay comes in a close second at $22.06 a square foot. That cost is for a

new bungalow and does not include the price of the lot.

If you are looking for the lowest cost per square foot you have to move into the Province of Quebec and build yourself a brand new home at $14.80 a square foot. Three Rivers—Trois Rivières—has the lowest cost of all. While Three Rivers is the lowest in the Province of Quebec, it also has the honour of being the lowest in all of Canada. Montreal comes in a close second at $16.10 per square foot and London, Ont., stands in third spot with $16.21 per square foot.

Mr. Martel: Good old London!

Mr. Stokes: These figures were just released a few weeks ago and they make an interesting study. One may wonder why there is such a big spread between the lowest in Three Rivers, Que., at $14.85 and Prince Albert, Sask., at $22.37, a big difference of $7.52 a square foot.

It can be argued that labour costs vary in each province, but does this hold true? In Thunder Bay it would cost you approximately $26,472 to build a 1,200 sq ft bungalow. In London, Ont., which has the lowest building cost in the province, it would cost you $19,452 to build the same home, approximately a spread of $7,000. Why?

Building costs have been rising sharply over the past year. In the city of Thunder Bay costs a year ago were $17.07 per square foot, a difference of approximately $4.99 a square foot. If you had built a new home in Thunder Bay last year you would have paid $20,484. Just think of it! You could have made a killing selling it this year and walking off with a nice profit of approximately $6,000.

Why is it that building costs should vary so much? And why is it that in some areas costs jump so drastically while in another area by only a few pennies? It makes it tough for communities in our area of the province, such as Manitouwadge, Terrace Bay, Schreiber, Long Lac and Geraldton. Our building costs are rated the same as the city of Thunder Bay. In some cases, costs could be a little higher in the rural areas away from the city of Thunder Bay because of the lack of skilled workers and special trades that are only available in large centres. I'm wondering, Mr. Speaker, why in the heart of the lumber industry it costs us so much more to construct a home than it does in other areas of the province and other areas of the country.

Recently in Toronto it was noted at a service centre on Highway 400 that gas was selling for 59 cents a gallon while in the city of Toronto it was retailing at 53 cents. What does this indicate? Along Highway 400, only selected service stations are allowed to locate. This is an exclusive service, forced on a heavy traffic route and a trapped market.

Is this the case in the north? Do the major gas companies set a rate and charge the same? Is this not price-fixing? We thought that price-fixing was disallowed or was illegal in Canada and in the Province of Ontario. Yet there is ample evidence that the people of northern Ontario are continuing to be gouged by having to pay unconscionable prices for consumer goods, for house building and for gasoline. For almost anything that you care to mention, the people who have chosen to live in the north are getting it in the neck.

As early ago as 1968, the former Premier of this province, Hon. John Robarts, stated, Mr. Speaker, that this government was going to undertake a policy that would bring communities in northern Ontario into the economic mainstream and make it more possible for them to buy consumer goods and to have services available to them comparable to people in other areas of the province.

The commitment by the then Premier to undertake a programme of equalization of industrial opportunity hasn't worked; as a matter of fact just the reverse is true. The forgivable loans, the performance loans, the term loans have had little or no effect on the economic life of people in northern Ontario. Nothing has been done by this government in the past five years to indicate to the people of northern Ontario it is really sincere about coming to grips with the economic and social problems we have in those areas.

I could go on at considerable length, Mr. Speaker, to document the neglect and the degree of frustration that is being experienced at the present time by people living in the northern part of this province. I know we are pressed for time and I will leave any further remarks in that regard for another occasion.

But I would say that if the new awareness programme and these junkets that are being taken right across the province by ministers of this government mean anything at all, if they are not just sheer hypocrisy, I suggest that if those ministers responsible in the areas that I have discussed today sincerely believe the people in the northern part of this province are entitled to economic and social justice, I think at least a start can be made on

programmes that are relevant and sensitive to the needs of people in northern Ontario.

If this government is really sincere about doing anything on behalf of those people that I represent and the people that the members for Cochrane North (Mr. Brunelle) and Kenora represent, I suggest that if it wants to have any credibility at all it had better get on with the job.

Mr. J. Lane (Algoma-Manitoulin): Mr. Speaker, I would like at this time to make a few brief remarks on this budget debate.

First I would like to thank the ministers who made the trip up to the riding of Algoma-Manitoulin last summer. There were a total of five ministers there. Everybody was very happy to see them and the only complaint I had was that they weren't able to stay long enough to cover the entire riding.

I also would like to thank the ministers who supported my pilot projects in the past year. The Family Life Centre in Elliot Lake is being well received and appears to have every chance to be a successful venture. The Northshore Craft and Work Centre at Serpent River is well under way. We are now employing four people on a full-time basis and many people on a part-time basis. The products that are coming to the market from this centre are being well received and I think this pilot project has every chance of being successful as well.

I would also like to thank the Minister of Transportation and Communications for his efforts to get a very worthwhile programme of improvements to roads and highways in my riding. It is very encouraging that we are going to be going ahead with the four-lane highway between Sudbury and Sault Ste. Marie on Highway 17. Also, we are now rebuilding Highway 540 on Manitoulin Island.

I pointed out in my maiden speech in this House that this type of programme is long overdue and that Highway 17 was in a deplorable condition. I'm very happy to say that the minister and the government have taken the necessary steps to improve this situation.

I regret, however, that I must again bring to the attention of the government the need to acquire lands on Manitoulin Island now owned by the Ontario Paper Co. I have brought this matter to the attention of the government in every speech that I have made in this House, as did the member for Algoma-Manitoulin before my time here. I had hoped that the matter would have been resolved before now. However, such is not the case, Mr. Speaker, and the situation is getting more serious with each passing day.

Mr. Speaker, this property consists of approximately 80,000 acres in Robinson, Dawson and Cockburn Island townships in Manitoulin district. There are about 60 miles of lake frontage on Lake Huron, plus many miles of lake frontage on the inland lakes on the property. This is the last large tract of land left in the district of Manitoulin, and if we are going to have sufficient land for recreation and park purposes in the future it is essential that we acquire this land at this time.

Mr. Stokes: Right on. The longer we wait, the more it is going to cost.

Mr. Lane: This land will not remain there very much longer.

Mr. Stokes: That's right.

Mr. Lane: There have been many private entrepreneurs trying to buy it, some of them south of the border. There is at least one company trying to buy at this particular time. The owners could have sold it many times for the price they are asking for it. However, they have been very fair to the people in that area. They have allowed us to hunt on the property and use it for recreation purposes and they are determined it remain that way and they would like to sell it to this government.

Mr. Stokes: Is that Ontario Paper?

Mr. Lane: That's right. Mr. Speaker, I say again that the federal government has an equal responsibility with the provincial government to acquire future park lands and recreational lands in this province, and I think the ARDA programme, which is a federal-provincial cost-sharing programme, is the vehicle through which this property should be purchased. However, Mr. Speaker, if the federal government is going to continue to shirk its responsibility, the provincial government must go it alone.

It is vital that this parcel of property be under government control so we can be assured that we will not be short of recreational land in this part of the province in the future.

Mr. Speaker, Manitoulin Island is reasonably close to major metropolitan areas and it is becoming increasingly important as the destination for tourists. It will be even more in demand when our ferry, air service and road service improves. I would think that once we owned this land, and a proper assessment had been made of it, that we could set aside sufficient property for future

recreation and park development and turn the balance back to the private sector for development that would be compatible to the area.

I have recently spoken with the owners and the asking price for this property is now $5 million. They will sell it for cash or they will trade it for property that the Crown now owns in other parts of the province that has timber. I feel, Mr. Speaker, that we must act now without any further delay in acquiring this property.

Another matter which I feel must be brought up at this time is the financial assistance to the district of Manitoulin for an official plan. Manitoulin, like some other districts in the province, has very little industrial assessment, thus it's impossible to saddle the residential landowners with increased taxes to cover the cost of this plan.

I think that the need for an official plan and zoning bylaws to cover the entire island was brought to the forefront last summer, when the public became aware of the plans to develop Carter Bay in Carnarvon township. In trying to conserve the beauty of Manitoulin Island, a backward step may have resulted if it had not been for the responsible municipal government that took the necessary steps to control this development at that time.

There are, however, other developments of this nature going on right now that have me more concerned than Carter Bay. The one that has me most worried at this time is a subdivision in Robinson township. This is another checkerboard situation to avoid government controls and since Robinson township does not have a municipal council, it does not have the protection that Carnarvon township had, where the township council put on the necessary controls. Many of these lots are being sold to people that do not live in Canada.

I could go on and mention other similar situations in the area and on the island, but this is surely not necessary to show the need for an immediate official plan and zoning bylaws for Manitoulin district.

Mr. Speaker, there is one more matter I would like to raise at this time and that is the matter of helping with the cost of policing the Indian reserves. I have mentioned this problem several times but I feel I must bring it up again as it has not yet been resolved. I feel there must be an integrated plan between the federal government, the Department of Indian Affairs and the province to make the salary for young Indian policemen coming out of police college comparable to Provincial Police salaries.

As it is now, they are getting approximately half and I don't think this is a fair situation. These young policemen are enforcing the provincial statutes and yet they are getting a salary of $7,000 or $8,000 a year, which is impossible for a man to live on at this time. I feel these men can do a good job of policing the reserves and I think it is up to us to take some steps to integrate a plan with the federal people to support this effort.

Mr. Speaker, at this time before I sit down, I would like to announce the presence in this chamber of the former member for Algoma-Manitoulin, Stanley Farquhar.

Mr. H. Edighoffer (Perth): Mr. Speaker, I am again happy to take part in a budget debate in this Legislature. It seems as if considerable time has passed since the budget was brought down on April 12, 1973. I guess one could call that a memorable day in Ontario.

An hon. member: Black Thursday.

Mr. Sargent: Black Friday.

Mr. Edighoffer: It sure was. Well, I have heard it called just a plain ordinary "White day" in Ontario. In fact, it might be the present Treasurer's first budget and probably his last.

Mr. Speaker, it seems so long ago and there seems to be so much to say about the budget but it is interesting to look back and see what effect the proposals have had on the people of the province in the meantime. It is really most interesting to look back because we have had a withdrawal of one part of the budget—that was the energy tax of course; then we have had the amendment to the Gift Tax Act which was just completed a short time ago. So things that were suggested in the budget have taken some time either to withdraw or complete.

I'd like, Mr. Speaker, to go back to the budget speech in 1970 and very briefly draw to the attention of the House a paragraph which was included in that budget by the then Treasurer, Mr. MacNaughton. We hear many people in their speeches talk about the tremendous changes that take place in a decade, and I think we should go back to 1970, the beginning of the Seventies, and just see what the then Treasurer of this province had to say about financing. I quote from the budget of 1970.

Let me outline briefly the tax reform strategy that we believe is appropriate to meet the problems and exploit the potential of the 1970s.

We start with the fact that there is only one taxpayer for all levels of government. We believe his total tax bill is too high. Moreover the present federal-provincial-municipal tax systems bearing upon him are haphazard and unco-ordinated. The two essential conditions for reform, therefore, are to arrest the growth and total public expenditures and to rationalize the overall tax structure. Without these conditions, tax reform will be wiped out by the steady encroachment of government and by competition for the tax dollar.

Furthermore, we believe that tax reform must preserve a strong economy by fostering opportunity and productivity to achieve long-run growth and development. Unless taxes are redesigned to provide for sound economic growth, the result could be less real gain for all. Our approach, therefore, is to seek co-ordinated tax reforms that contain total tax burdens, that improve overall equity, and that preserve economic incentives—in short, tax reforms that meet the needs of the taxpayers first and governments second.

That was in the budget speech of 1970, Mr. Speaker. I looked closely for something similar in the 1973-1974 budget. That last phrase which stated, "tax reforms must meet the needs of taxpayers first and governments second," was nowhere to be seen in that budget. To me, I think this budget has done just the opposite; it has suited the government really totally.

In this budget, Mr. Speaker, the Treasurer made an interesting comment when he said "It was an honour and a pleasure to increase aid to local governments." He increased it by $180 million, but then he also increased the sales tax by 40 per cent, which was a total of $340 million in the next fiscal year. This seems to show that it fills the government's needs mainly.

The minister also stated that he considered a substantial component of the sales tax to be highly progressive in that high-income taxpayers tend to consume a relatively large share of those items taxed at the 10 per cent rate. The problems really occurred, I think, Mr. Speaker, with the seven per cent tax, or the 40 per cent increase, which we saw. This was borne out in editorials right across the province after the budget was released.

I would just like to refer to the editorial in the Stratford Beacon Herald, dated Saturday, April 14, entitled, "More Bad Than Good in Ontario's New Budget." That editorial stated as follows—which certainly did sum it up very well:

> The trouble with these good news-bad news budgets, such as the one brought down by provincial Treasurer John White, is that it is generally difficult for the individual taxpayer to find the good news, if there really is any while the bad news is staring him right in the face. The more we watch government's increased taxation and resort to excessive deficit financing, the more we wonder how long it will be before Queen's Park, and Ottawa too, for that matter, will start doing to their own budgets what it is obvious they expect the individual taxpayer to do to his, namely, balance it. We wish Mr. White would show as much consideration for the harried taxpayers of this province as he sentimentally proclaims for family pets.

Mr. Haggerty: White's budget was a black day in Ontario.

Mr. Edighoffer: That's what the editor of the Stratford Beacon Herald thought in my constituency.

Mr. Speaker, it would also be worthwhile placing on record what the London Free Press had to say about the Treasurer's budget, as the Treasurer comes from that area. That editorial, dated April 13, was entitled, "The Wrong Kind of Budget." I quote as follows:

> Ontario's decision to raise the retail sales tax from five to seven per cent and to tax heating fuel and electricity is wrong.
>
> The tax increases are regressive, inflationary and unnecessary. A combination of higher revenue, generated by continuing economic growth and a moderate deficit, appear to be able to provide the money the province needs.
>
> Provincial Treasurer John White is mistaken when he says the $5,000-a-year man will consider his first budget good news and that the $50,000-a-year man will consider it bad news. Quite the contrary. The rich can absorb the higher consumer prices that the tax increases will inflict on everyone. Low-income families and individuals, however, will feel the pinch in the higher cost of practically everything they buy. They spend a much larger proportion of their incomes on basic living needs; consequently the sales tax is regressive, hitting them harder than it hits the well-to-do.

This was a very lengthy editorial, Mr. Speaker. I certainly won't read it all, but I just wanted to put part of it on the record to show how—

An hon. member: I'd like to hear it.

Mr. Edighoffer: —the paper in the Treasurer's riding felt about his budget last April. And, of course, to top that off the Globe and

Mail is still talking about the budget, because on Oct. 4, in an editorial entitled "Queen's Park and Inflation," it stated simply that:

> It can be said that no single thing has produced such an immediate and pervasive effect on inflation in Ontario as the two per cent increase in the sales tax.

Mr. Speaker, there are many things in my constituency I could talk about; we seem to have a few problems there. Mind you, a lot of them have been solved, but we still have some problems.

I think one of the things of greatest interest these days is the matter of transportation. A few years ago our area seemed to lose much of its public transportation due to the federal government, and since that time it has been trying to show the provincial government that it needs public transportation. Again, I'd like to suggest, especially to the Minister of Transportation and Communications, that some sort of public transportation is needed, even though it might entail just some type of subsidization programme for the bus system.

I might also add that Straford has a dial-a-bus system. A number of other areas have dial-a-bus systems, and now North York has a dial-a-bus system, but because it's a demonstration project, I believe it receives 100 per cent subsidy. We in our area feel that this is most unfair, because I've looked at the figures in our area and note that the operating costs are subsidized by only 50 per cent and the capital costs are subsidized by only 75 per cent. I know that the minister has been confronted on several occasions in attempts to bring up the amount of grants, and I hope that he will take a good close look at this request to make certain that all areas throughout the province are treated the same.

Mr. Speaker, I have another area I would like to discuss briefly, and this is a matter which has been brought to my attention on many occasions since the beginning of 1973. During the spring of this year I received many calls from constituents about the need for a review of the fee schedule for people on jury duty. I have drawn this matter to the attention of the Attorney General (Mr. Bales) on a number of occasions and I have written several letters. I feel I should bring it to the attention of other members of the government and particularly the Provincial Secretary for Justice (Mr. Kerr). It might just give him something to do.

Mr. Haggerty: Or even the Minister of Labour might take this into consideration.

Mr. Edighoffer: That's right.

Hon. F. Guindon (Minister of Labour): I would be glad to.

Mr. Ferrier: Or lower the minimum wage.

Mr. Edighoffer: As a matter of fact, this matter has been brought before many of the municipal and county politicians in my area and, in fact, the legislative committee of the Perth county council passed a resolution on March 13, 1973, which stated as follows—and I will just give you the main part of the resolution, Mr. Speaker.

> And whereas a fee of $10 a day represents only a token fee for time and wages lost while in attendance at sittings;
>
> And whereas such a fee for sittings extending into the second and subsequent days of the Supreme Court or county court represents a considerable financial burden for jurors;
>
> And whereas the fees schedule for jurors has not been revised since 1959;
>
> Therefore, be it resolved that the Attorney General's office be requested to initiate a review of fees for jurors in order to alleviate an undue financial hardship.

Mr. Haggerty: They should receive as much as the professional people, per hour.

Mr. Edighoffer: I wish to place on the record of this House that the resolution was sent out throughout Ontario and, by July 16, 1973, I received a reply from the Perth county council stating as follows:

> The following are the municipalities that have endorsed our resolution regarding a review of jurors' fees; they are as follows: Counties of Kent, Renfrew, Brant, Victoria, Oxford, Essex, Halton, Elgin, Ontario, Peel, Huron, Wentworth, Dufferin, Norfolk, Middlesex, Hastings, Grey, Wellington, Peterborough, Simcoe, Haldimand, Frontenac; the united counties of Prescott and Russell, Northumberland and Durham, Stormont-Dundas and Glengarry, Leeds and Grenville; and the regional municipalities of York and Niagara.

I think, Mr. Speaker, that this resolution and the reply certainly shows the need for a review by the minister. In this regard, on Dec. 12, the Globe and Mail had a story about jurors and jury duty and, in this article, it stated as follows:

> Ontario will pay you $10 a day to sit in judgement on your fellow man. Ten dollars a day to be a juror and to sift fact

from fancy; to listen to complicated and often conflicting stories; to decide whether an accused is guilty or not guilty. If you're paid a weekly salary or if you belong to a civic-minded union or if your employer has a social conscience, perhaps you won't lose money but maybe you will. Some, of course, consider such a loss to be part of the price a citizen should willingly pay for the benefit of living in a free society but Ontario is aware of the need for a raise in jurors' fees. That awareness, however, won't translate itself into dollars and cents until, at least, next year. A spokesman for the Attorney General said recently that a raise in the fees won't be included in amendments to the Jurors Act to be introduced this year. He said, though, "We hope to make provisions for it in next year's budget, though."

I have to say, Mr. Speaker, that first of all I don't know why we have to read in a newspaper that a spokesman for the Attorney General has been quoted as saying that it is expected to be in next year's budget when I, in my own files, have two letters from the Attorney General stating it's under review but it doesn't sound as if any changes will be that hasty.

I'd like to recommend, because it was not in the budget this year, that the Treasurer, whether he be new or old next year, make certain this is in the budget.

Mr. Speaker, as time is getting on and the Christmas season is coming forth, in closing I'd like to say that because of the budget, the way it was presented, I think we all appreciate the fact that the Treasurer withdrew the energy tax after outcries from the opposition and the public in general. I would like to read from the report of the Committee on Government Productivity. This report was No. 9 and was printed, I believe, in March, 1973, and under a heading of "Specifics of Communications among Ministries" it states:

> In this regard, a number of specific needs demand attention. Ministries are responsible for ensuring adequate communication with other ministries on policy issues of an interministerial nature in advance of their consideration by the policy field committees. Meeting this responsibility calls for certain capabilities on the part of any ministry:
>
> 1. Awareness of policy proposals under development in other ministries which impinge on responsibilities of the ministry in question;
>
> 2. The ability to recognize other ministries within or outside its own policy field which would have an interest in any policy position under development by the ministry concerned;
>
> 3. Means to communicate such developments quickly and clearly to other interested ministries;
>
> 4. The ability to select appropriate mechanisms for continuing communication or co-operative planning and co-ordination among ministries on such related policy matters.
>
> Again, whatever the organizational unit in a ministry that may be designated to deal with policy responsibilities and taking into account the nature of the policy issue involved, individual ministries should assign among their own officers responsibility for communication with other ministries as well as for interministerial policy co-ordination on any specific question.

I suppose, Mr. Speaker, this is the same as a lot of reports we see. There are a lot of words in there but I think basically what we are talking about is that one hand of the government should know what the other hand is doing.

I think in this instance, when this budget was brought down, it was proved in the House when the minister introduced the proposal for energy tax that no other minister knew what was taking place. It is certainly time this government had a co-ordinated outlook on future policy.

Mr. Speaker, I think it is practically 12 o'clock. I will conclude my remarks by saying I am wholeheartedly in favour of the amendment placed by this party.

Mr. Speaker: The hon. member for Nickel Belt.

Mr. Laughren moves the adjournment of the debate.

Motion agreed to.

It being 12 o'clock noon, the House took recess.

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Afternoon Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

WEDNESDAY, DECEMBER 19, 1973

The House resumed at 2 o'clock, p.m.

Mr. Speaker: Statements by the ministry.

REVISED GRANT FORMULA FOR CHURCH-RELATED COLLEGES

Hon. J. McNie (Minister of Colleges and Universities): Mr. Speaker, I wish to announce details of a revised operating grants formula for eligible provincially assisted universities with church-related colleges. This new policy could generate an additional $3 million for Laurentian University and the universities of Toronto, Waterloo and Western Ontario. Since 1967, a formula based on enrolment has been used to calculate operating support to provincially assisted universities.

Starting in September, 1974, the same formula will be applied to church-related colleges subject to the following conditions:

The students in church-related colleges must be registered in the parent university; they must be working toward degrees other than theology that will be granted by the parent university; their colleges' standards of admission, curriculum and graduation for all programmes except theology must be established and regulated by the parent university.

Approximately 3,500 full-time students and 2,000 part-time students are now enrolled in programmes in church-related institutions that could be affected by the change. These students are generating about $3.2 million in operating grants in the current academic year. When the new system is introduced in 1974-1975, the parent universities would receive about $6.4 million on their behalf.

The provincial grants will be paid directly to the parent university and the internal allocation of the funds will be left to the university. The current policy which does not provide capital funds to church-related institutions remains unchanged.

Academic degree programmes other than theology are offered at 13 church-related colleges associated with four provincially assisted universities. They are Huntington, Thorneloe and Sudbury colleges, associated with Laurentian University; St. Michael's, Trinity and Victoria colleges, associated with the University of Toronto; Conrad Grebel, Renison, St. Jerome's and St. Paul's colleges, associated with the University of Waterloo; and Brescia, Huron and King's colleges, associated with the University of Western Ontario.

Mr. Speaker: Oral questions. The Leader of the Opposition.

REVISED GRANT FORMULA FOR CHURCH-RELATED COLLEGES

Mr. R. F. Nixon (Leader of the Opposition): Further to the minister's statement, will those grants be on a per-student basis—basic income unit—or will they be more or less block grants for capital and maintenance?

Hon. Mr. McNie: Mr. Speaker, the grants will be on the same basis as for the present student enrolment. The student will be getting 100 per cent funding and it will be an operating and not a capital grant.

Mr. R. F. Nixon: A supplementary: If a student is attending Brescia College does that mean the University of Western Ontario's income would be reduced by the same amount as Brescia College's income would be increased?

Hon. Mr. McNie: No. As a matter of fact the University of Western Ontario's income will be increased by about $957,000 starting September, 1974.

Mr. V. M. Singer (Downsview): By way of supplementary, is the list of colleges to which these new grants will be made an exhaustive list of all colleges of that type in the province? Is it possible that others can be added and is there a procedure available whereby others which might feel entitled can have their positions reviewed?

Hon. Mr. McNie: Mr. Speaker, a letter is going out to all the universities and colleges describing the conditions. At the moment, as I said in my statement, this represents the eligible universities with church-related institutions.

Mr. Singer: I'm not sure that I understand the minister or the minister understands me. If there is another church-related college associated with a recognized university which is not included on the list, is there an ability for the people who are concerned with that college to make application, to negotiate, to talk about it? How do they go about it?

Hon. Mr. McNie: Mr. Speaker, is the hon. member thinking of some particular college?

Mr. Singer: I have one in mind but I'm not quite sure of its status; until I can determine that, I don't know. Supposing this isn't a completely exhaustive list of all the institutions in the province?

Hon. Mr. McNie: All I can say, Mr. Speaker, is that as of the present moment this is an exhaustive list.

Mr. E. W. Martel (Sudbury East): A supplementary question: Does the minister have a breakdown of how much additional funding each university is going to get as a result of this announcement?

Hon. Mr. McNie: Mr. Speaker, I would be very happy to tell members that now. Laurentian University was given an additional $225,000 based on 1972-1973 enrolment, keeping in mind the slip year.

The University of Toronto will benefit to the extent of $1,350,000 roughly, the University of Waterloo, $592,000; and, as I said earlier, the University of Western Ontario, $957,000.

Mr. J. E. Bullbrook (Sarnia): By way of supplementary—perhaps I missed it in the opening statement—could the minister advise what the rationale is for exempting the theological colleges from his largesse?

Hon. Mr. McNie: Mr. Speaker, this is based on a time-honoured tradition that the churches themselves should have control over the academic programmes in the seminaries within the colleges.

Mr. Bullbrook: Is the minister saying it is his policy that, if we grant benefits to the church-oriented colleges, they lose control?

Mrs. M. Campbell (St. George): I don't understand them.

Hon. Mr. McNie: Yes, I would think that's a good way to put it.

Mr. Speaker: The hon. Leader of the Opposition.

Mr. A. J. Roy (Ottawa East): Could I have a supplementary?

Mr. Speaker: No, there have been five so far; there has been a sufficient, reasonable number. The hon. Leader of the Opposition.

HYDRO DAM AT ARNPRIOR

Mr. R. F. Nixon: Mr. Speaker, a question of the Provincial Secretary for Resources Development: Is it his responsibility to enforce in the ministries under his policy jurisdiction the policy that a basic tendering procedure, a public tendering procedure, is to be used? I ask particularly in view of the information made publicly available by the Minister of Energy (Mr. McKeough) pertaining to the dam to be built by Ontario Hydro on the Madawaska River at Arnprior.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): No, Mr. Speaker, it is overall government policy that would be involved here. It would be for all departments in the government and all agencies. As I recall it, at the time of the Arnprior decision there was no policy expressed to that particular agency, Ontario Hydro.

Mr. R. F. Nixon: A supplementary: Because of the urgent matter pertaining to the requirement for tendering which became apparent during the hearings of the committee during the summer, can the minister give an explanation as to why Ontario Hydro, which, I suppose, is remotely but still under the policy jurisdiction of his ministry, would have been able to undertake the commitment of a $5.5 million contract without a tender, particularly with the evidence which has become apparent of the interlocking directorships associating the consulting engineers with the company which got the contract without a tender?

Hon. Mr. Lawrence: I think, Mr. Speaker, the investigation into the way in which Hydro handled its new building pretty clearly established that historically Ontario Hydro has had its own policies as to purchase and tendering.

Mr. Roy: Isn't the minister concerned about that?

Hon. Mr. Lawrence: Certainly we are concerned about it. The question of the change in policy—and I can assure the House there will be a change in policy—will be dealt with, obviously, when the new board sets down its own guidelines and its rules which will

be derived in part from the advice coming indirectly from this past summer's committee hearing and also the input of the government as a whole.

Mr. R. F. Nixon: Can the minister assure us that the policy for the government agency, Ontario Hydro, will be for full and public and competitive tendering, rather than the procedures which have been extremely difficult to understand that have been used by Ontario Hydro in the past? Is this policy to be imposed?

Hon. Mr. Lawrence: I can't at the moment announce that policy in the 100 per cent terms that the Leader of the Opposition would like. All I can say is that obviously from our experience with Hydro and obviously with the reorganization of the corporation itself, in a short time there will be not only a new board but a whole new series of policies of which the purchasing policies will clearly be one. Without being categorical and saying suddenly that Hydro tendering and purchasing policies are going to be identical with those of the government, I think I can go so far as to assure the House that the guidelines under which the new corporation will work will be substantially different from the traditional freedoms that Hydro has exercised.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): In the meantime, Mr. Speaker, what steps is the minister prepared to take in order to ensure that if a dam is to continue at Arnprior a fair tender is held, given the fact that in addition to C. A. Pitts' advantages of being on the site it is the only construction company with a member, its president, on the board of Traders Finance, the major company in the Acres group, and with Acres as its consulting engineer that effectively makes the decisions about recommending who will get the contract on the site? What is the government going to do about that kind of interlocking directorship and about the interrelationships, for that matter, between Traders Finance and the Acres group and the Conservative Party and the Ministry of Energy?

Hon. Mr. Lawrence: I can only paraphrase what I said earlier, Mr. Speaker, that the situation in relation to the Arnprior dam is not different from the kind of situation that caused us so much trouble, shall we say, last summer. I think it's obvious from all our points of view that the traditional freedoms in this field that Hydro has exercised for scores of years are simply going to change. I just can't stand up here this afternoon and tell the House what the guidelines as to tendering by Hydro will be, nor can I, therefore, give members the assurance in relation to particular subcontracts involved in the further development of the Arnprior project.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: Can the minister advise us whether or not the consulting engineers, Acres Consulting Services Ltd., knew in advance that Pitts was going to be awarded the contract and whether they made any recommendations or gave any approval in that regard, or did it come as a complete surprise with the two decisions separate?

Hon. Mr. Lawrence: I don't know the answer to that question, Mr. Speaker, but what I will do is ask the Minister of Energy to advise the House, if it is sitting, or the member himself, if the House is not sitting.

Mr. Cassidy: Supplementary, Mr. Speaker.

Mr. Speaker: I think the hon. member has had two at that one time.

Mr. Cassidy: I have only had one, Mr. Speaker, and the Liberal Party has had about four.

Mr. S. Lewis (Scarborough West): Come on. This is unfair. This is really unfair. You gave the Liberal leader three supplementaries.

Mr. Speaker: The hon. member had two or three supplementaries at the same time. I recognize the hon. member for Sarnia.

Mr. Bullbrook: Thank you, sir. I don't want to exercise the NDP over this. Does the Provincial Secretary not consider it effrontery to the legislative process that during the very time, in the middle of the investigative process by a select committee of this House into the tendering or proposal system, Hydro would undertake that very thing? If he does, will he convey on our behalf, as one of our colleagues, our concern about this type of—not independence but effrontery?

Mr. R. F. Nixon: Effrontery was what it was.

Hon. Mr. Lawrence: I think, Mr. Speaker, that I would not use as strong a term as "effrontery." What we simply have to realize is that—

Mr. T. P. Reid (Rainy River): How about disdain?

Hon. Mr. Lawrence: —after how many years?—is it 50, 60 years of Hydro operating as an essentially independent Crown organism?—

An hon. member: Since May, 1906.

Hon. Mr. Lawrence: —May, 1906—the whole structure of Hydro's attitude toward its responsibilities has simply changed.

Mr. Reid: That is what the Moog affair was all about.

Mr. R. F. Nixon: Robarts stopped them on more than one occasion.

Mr. Bullbrook: Certainly. He told them not to build in 1968.

Hon. Mr. Lawrence: Yes, but here we are dealing with their purchasing practices.

Mr. I. Deans (Wentworth): Set up a select committee to study housing.

Hon. Mr. Lawrence. Without getting into a debate, Mr. Speaker, obviously the government of Ontario, through the Treasurer, has always had a major role to play in the financing of, and the financial decisions involving, Hydro. Historically I think I am accurate in saying that the people of this province and the members of this Legislature, of all parties, recognized in the late Sixties and Seventies that this could not continue. I don't think it is an effrontery. I think that we are dealing with an organization that was behind the thinking and behind the attitudes of the public it was serving.

Mr. Speaker: In order that the New Democratic Party may be fairly dealt with, and feel that way, and in view of the fact that Christmas is so close, I will recognize the hon. member for Ottawa Centre.

Mr. Cassidy: I appreciate that. I would like to put forward the second supplementary question for my party on this particular question. Mr. Speaker, to the minister: In view of these latest problems revealed with the Arnprior contracting and the whole process by which that job is being undertaken, and in view of all the other information that I brought to the minister and to the government about the excessive costs of that, the project—its excessive cost of power production and the environmental problems in the area—and in view of the growing opposition from local people to the project, will the government launch an inquiry into alternative means of curbing the erosion problem on the Madawaska River at a much lower cost?

Hon. Mr. Lawrence: On the latter part I can't give a categorical answer because obviously it is a technical and an engineering question. I know that exhaustive research was done prior to the decision on the Arnprior dam.

Mr. Cassidy: No.

Hon. Mr. Lawrence: As to the question of erosion—

Mr. Cassidy: No, that is not true.

Hon. Mr. Lawrence: Although I've not read the reports, there has been more than one, because Hydro—

Interjection by an hon. member.

Hon. Mr. Lawrence: —has had, I think, three dams on the Madawaska. Each of them has raised and caused studies involving the question of erosion. That particular question, I think, will have to wait for a particular answer from the Minister of Energy.

As the member knows, so far as an inquiry is concerned, the Minister of Energy certainly has undertaken personally to involve himself in an inquiry. I think the member and I and others were to have been on an inspection trip and a general discussion session involving it. That will have to await the hon. minister's return and a new meeting.

Mr. Speaker: The hon. Leader of the Opposition.

The hon. member for Scarborough West.

NIAGARA ESCARPMENT

Mr. Lewis: Mr. Speaker, can I ask the provincial Treasurer, has he yet proclaimed the various orders and regulations to govern the escarpment, which have not yet, I think, been proclaimed?

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): No, sir. Those have not yet been proclaimed. Details are still being worked upon.

Mr. Lewis: It was June 4 that he brought it in, wasn't it? And it is now Christmas. Just how long does it take to proclaim the orders he thought were already in effect?

Hon. Mr. White: I have certainly been reminded of that slip more than once. There was no error made in postponing the imposition of these development controls. The fact of the matter is, when the question was put to me, I having approved in some fashion some general outlines of the development control area, thought that I had signed the final document. The final document is still being prepared, and obviously takes longer than five months. We are working on it. I can tell the member that there isn't a week goes by that I don't ask people to speed it up.

Mr. Lewis: By way of supplementary: I am working from memory, and I may have the township wrong—I think it is Nottawasaga township. The Treasurer may well have received information from them about the building of a 10-ton trailer park which could go through because of an agricultural land designation within the official plan. The Treasurer will remember that kind of problem. But it could not go through on the edge of the escarpment where the government's control finally is to be proclaimed. That is one identifiable situation, and I've had correspondence and material on it. I don't have it in front of me. It is where an undesirable economic development in community terms will occur unless the government's development controls are proclaimed. I say, therefore, there must be some very good urgency about it.

Hon. Mr. White: Well, sir, if the hon. member will give me those details I will certainly look into it. There are other avenues available to us now such as minister's order, or something else. I'll certainly be glad to look into this particular problem.

DIFFERENCES IN PRICES BETWEEN NORTH AND SOUTH

Mr. Lewis: May I ask the Minister of Consumer and Commercial Relations, or whatever it is, has he yet had a chance to analyse, observe and give information on the discrepancy in price between Windsor and Sudbury, or indeed between southern Ontario and northern Ontario, in the case of the Simpsons-Sears catalogues, which I gave him—and I suppose in other similar cataloguing activity?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, as a result of the question asked by the leader of the New Democratic Party some two weeks ago, I wrote to the president of that particular organization referring to the question from Hansard, as my response in undertaking to the hon. leader to find out this information. To date I have not got it; when I do have it I will forward it to him.

Mr. Martel: Will the minister at the same time look into other companies, such at T. Eaton and Canadian Tire—which are the largest ones in northern Ontario—as to their pricing policies with respect to the south as opposed to the north?

Hon. Mr. Clement: Mr. Speaker, as a result of the original question asked by the member of the New Democratic Party, we took a look at it and I think we have contacted some 11 different organizations.

I might point out I have no right particularly to ask the question and they might tell me it is none of my business. Any answers I do obtain I will pass on to the member.

Mr. Speaker: The hon. member for Scarborough West. A supplementary?

Mr. F. Laughren (Nickel Belt): A supplementary, Mr. Speaker: Has the minister, as I hope the Minister of Education (Mr. Wells) requested him to do, conducted an inquiry into the practices of Imperial Oil and its pricing of fuel oil to the school boards in northern Ontario?

Hon. Mr. Clement: I am sorry; I didn't hear the whole question.

Mr. Laughren: Has the minister been approached by the Minister of Education to conduct an inquiry into the pricing practices of Imperial Oil and its pricing policies for fuel oil to the school boards in northern Ontario?

Hon. Mr. Clement: It is my understanding that a question has been directed to my staff. I have not personally received the question from that source.

Mr. Speaker: A supplementary?

Mr. Roy: No.

Mr. Speaker: Then it is still the hon. member for Scarborough West.

Mr. Roy: We thought he was finished.

ONTARIO ZOOLOGICAL SOCIETY

Mr. Lewis: I have just one—since I am hoping there may be an announcement this after-

noon which would make this the last question period, I have a tag end I'd like to ask.

Hon. Mr. Clement: Which end?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): The member shouldn't hang his hat on that tag end.

Mr. Lewis: No, I'll wait.

I would like to ask the Provincial Secretary for Resources Development if he is going to make an effort to solve the perplexing and, for the people involved, anguishing problems of the Ontario Zoological Society in their efforts to stay alive because of the desperate situation around financing and the inability to continue much longer? How one handles the disintegration of that kind of organization, I don't know, but is cabinet meeting on it? Has the minister given it any further consideration?

Hon. Mr. Lawrence: Mr. Speaker, I had several meetings with some of the members of the board of that organization during the past year and, I think, before, but nothing in the last few months; nor have I personally been requested by them to meet with them. As members will recall, it is a private group and as members will recall also—

Mr. Lewis: They are non-profit.

Hon. Mr. Lawrence: —or they may not recall because they may not know, we have been trying to see whether or not there is a provincial role in relation to the question of zoological museums or zoos throughout the whole province. We have hesitated to deal with that particular group with the knowledge we would have to apply the same sort of principles throughout the province. We have made no decision to develop a system of provincial zoological financing, so at the moment I can't see anything constructive we can do with regard to what are essentially private problems.

Mr. Lewis: By way of supplementary: Since there is on file a letter from the now Minister of the Environment (Mr. Auld), from the 1960s, supporting the society very strongly and implying government support as well; since some of this minister's colleagues are equally on record in support of it; since the society was included in the original Wasaga Beach plan, published by the government; since there were trillium roadsigns put up by one of the ministries pointing in the direction of the society as a public attraction; since, in other words, all of its contact with government would have led it to believe that at some point a charitable, non-profit organization would receive some funds, is the minister now saying, in effect, that it is over? I just think they have to know. They are clearly at a crisis point and they have to know whether to disband or to go on.

Hon. Mr. Lawrence: Despite those circumstances, Mr. Speaker, I think the hon. member will allow that at no time has there been any commitment of financial support to them. I can't tell him whether or not, if we develop a system of support for zoological projects in the future, they will receive support. At the moment—and I think I made it clear to them, inferentially at least, at the two meetings I've been involved with that there was no commitment—they will simply have to wait until such time as there is a general commitment.

Mr. Speaker: The hon. member for Kitchener, a supplementary.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, since I had placed that question originally, or one somewhat like it, to the Minister of Industry and Tourism (Mr. Bennett) and was advised by that minister that the Minister of Colleges and Universities had the responsibility in that area, can the provincial secretary advise me if there have been any negotiations between him and the Minister of Colleges and Universities with respect to the development of the kind of policy that would be required in this matter?

Hon. Mr. Lawrence: Yes, Mr. Speaker. A good deal of our time has been spent in the past year and a half, and certainly in the last three months, in trying to develop a policy in relation to support for this kind of project.

The great difficulty with it, of course, is that there are so many projects equally worthy in nature. There are some projects, I know, as the hon. member for Ottawa East will know and the other Ottawa area members will know, of a similar sort in Ottawa. There is a plethora of such worthy projects ready to come forward across the whole province, but we simply do not have the funds to tackle them all.

We have decided, at least for the time being, that as part of our general educational and cultural support we will not develop a programme involving zoological support for all of these projects throughout the whole province. Presumably, if we could afford it, we'd deal with all sorts of these projects.

Mr. R. F. Nixon: So the Wasaga zoo gets nothing.

Mr. Lewis: That's what the minister is saying.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: No further questions.

Mr. Speaker: That's about a four-way split over there for a tie, as four members have risen.

Interjections by hon. members.

Mr. Speaker: The hon. member for Ottawa East shared his candy with me yesterday, therefore I recognize him.

An hon. member: We can give you a quartet Christmas carol if you wish.

Mr. Singer: What could be fairer than that?

Mr. Lewis: There is usually a 22-way split over there.

Mr. Roy: What's your favourite chocolate bar?

Interjections by hon. members.

OTTAWA TEACHER EDUCATION FACILITIES

Mr. Roy: Mr. Speaker, I have a question of the Minister of Colleges and Universities. I wonder if the minister is prepared to advise the citizens of Ottawa and district that he is prepared to set up teacher education facilities. I wonder if the minister might advise if he has had discussions with the University of Ottawa, Algonquin or Carleton, about setting up such facilities in the Ottawa area. If not, what is he waiting for?

Hon. Mr. McNie: Mr. Speaker, if I may, I'd like to defer that question to the Minister of Education.

Mr. Roy: No, this is teacher education facilities, Mr. Speaker. That is within his Ministry of Colleges and Universities.

An hon. member: Sure it is.

Interjections by hon. members.

Mr. Roy: Would the minister advise whether he has had discussions with Carleton, the University of Ottawa or Algonquin, which are clearly in his ministry, are they not? Has he not got colleges and universities?

Mr. R. F. Nixon: The member for Carleton (Mr. Handleman) knows the answer, but the minister doesn't.

Mr. Roy: Well, Mr. Speaker, might I ask the minister a supplementary?

Mr. R. F. Nixon: The member for Carleton is upwardly mobile.

Mr. Roy: As the minister is aware, there are French-speaking facilities at the University of Ottawa, but one of the regulations of his department prohibits the graduates of the University of Ottawa, the French-speaking teachers, from teaching in English-speaking schools in the area. Would the minister consider changing that regulation, in the light of the fact that English-speaking school boards are looking for French-speaking teachers? Doesn't he consider that regulation to be somewhat—can I use "asinine"? Is that a bad word, "asinine"?

Mr. R. F. Nixon: It's an okay word.

Interjections by hon. members.

Mr. Roy: Would the minister consider changing that regulation?

An hon. member: It just sounds like a bad word.

Mr. Roy: Doesn't he respond?

Hon. Mr. McNie: Mr. Speaker, I promise the hon. member I will look into the matter he's referring to.

Mrs. Campbell: Isn't that ridiculous?

Mr. Speaker: The hon. member for Nickel Belt.

GOGAMA WATER SUPPLY

Mr. Laughren: Thank you, Mr. Speaker. In the absence of the Minister of the Environment, I have a question of the Provincial Secretary for Resources Development. Since officials of the Ministry of the Environment have conducted a study and found that over 50 per cent of the wells in the town of Gogama are polluted with a high concentrate of nitrate, to the extent that they are dangerous to infant children, and the residents of the town have been told not to give that water to infant children, would the provincial secretary see that the proper water supply is supplied to the town of

Gogama? In particular, Mr. Speaker, since the Ministry of Natural Resources officials in the town already have a communal water supply and sewage disposal system, would the provincial secretary see that that service is extended to the rest of the town?

Hon. Mr. Lawrence: I won't answer in specifics with regard to Gogama, Mr. Speaker, but I'll certainly see that the minister has notice. I think my only response could be that we are developing an overall programme—whether it involves Armstrong or Gogama or Silence Lake or any of the other trouble spots—for the supply of infrastructure and particularly these services in the remote communities of the north.

Mr. J. E. Stokes (Thunder Bay): When?

Hon. Mr. Lawrence: When? It is dictated to a great extent by whether or not we have to tackle it on our own or if these will be part of a package being developed with the federal government which, through DREE, has the capacity of helping us. If we do it on our own, it'll take longer, of course, than if the federal government will put this kind of policy within the terms of its forthcoming agreement with us. We are working on that agreement right now and I can't tell members how widely the remote communities will be assisted in the DREE-Ontario agreement.

Mr. Laughren: A supplementary, Mr. Speaker: Would the provincial secretary not agree that since it's clearly a health problem for young children in the town, he should not wait until the legislation or regulations are changed on the provision of grants to the town of Gogama?

Hon. Mr. Lawrence: Yes, Mr. Speaker. I think there have been several occasions in the last year where we have simply stepped in and put in temporary facilities in some of the remote communities.

Mr. Laughren: Just extend them.

Hon. Mr. Lawrence: I will see that the minister assesses that, because it is not something we have avoided doing.

Mr. E. R. Good (Waterloo North): Mr. Speaker—

Mr. Reid: Mr. Speaker—

Mr. Speaker: Once again there is a three-way tie but I think the hon. member for Waterloo North, being my closest neighbour, is next.

Interjection by an hon. member.

Mr. Roy: It's a great day for the provincial secretary.

CHANGES TO CANADIAN LEGION CONSTITUTION

Mr. Good: A question of the Minister of Consumer and Commercial Relations: Now that Dominion and provincial commands of the Royal Canadian Legion have changed the constitution to allow both sons and daughters of Legion members to become associate members of the Legion, why does the Liquor Licence Board refuse to acept them as members and make them sign in as guests in any licensed areas in the Legion?

Mr. Roy: Is the minister against the Legion?

Hon. Mr. Clement: Mr. Speaker, under the present legislation, only voting members can be members of a bona fide club such as a Legion branch. As I understand the amendment to the Legion constitution, while these people are admitted as members or social members they are not admitted as voting members.

Mr. Good: Associates.

Hon. Mr. Clement: They do not have a vote and as such cannot be considered as members under the existing Liquor Licence Board legislation. I may advise, Mr. Speaker, that we are looking at it; I am concerned about it. It's a problem which is not novel only to the area represented by the hon. member but to all of us. I hope, perhaps, to be able to report progress in this area in the early days of the opening of the House next spring.

Mr. R. F. Nixon: So they can't drink if they can't vote?

Mr. Good: A supplementary, Mr. Speaker. This could be changed by regulation, could it not, rather than legislation? Why can't it be changed at the next cabinet meeting?

Mr. Roy: That's tomorrow. Send out a directive tomorrow.

Mr. R. F. Ruston (Essex-Kent): Yesterday.

Hon. Mr. Clement: I always welcome the advice I get from my very good friend from —where is it he is from?

Mr. R. G. Hodgson (Victoria-Haliburton): Waterloo North.

Hon. Mr. Clement: I'll never forget him and—

An hon. member: Particularly in October.

An hon. member: Edward the good.

Hon. Mr. Clement: I will take a look into it. I am not as familiar as he is with the regulations dealing with the dispensing of beverage alcohol, but it may well be in the regulations.

Mr. R. F. Nixon: The minister concentrates on the product.

Mr. Roy: He concentrates on non-alcoholic wines.

Mr. D. M. Deacon (York Centre): In view of the fact that private clubs do not restrict full membership to those who have votes—there are voting members and there are those who don't have votes—and therefore there is no distinction between those who are able to go in as members and don't have to sign in as guests, why would there be this distinction in the case of the Legion?

Hon. Mr. Clement: Most clubs limit the number of guests themselves. It used to be, under the liquor licence legislation I believe, that one member could take in only one guest at a time. This was eventually dropped and it is now a house rule with many clubs in order to control their membership. I can think of certain union centres or clubs in this area that have up to 15,000 members.

Mr. Deacon: Well, that's not my question. What I'm saying is that many clubs have full members who do not having voting privileges. They do not hold voting shares of the club and therefore are not voting members, and yet those members—

An hon. member: Like golf courses.

Mr. Deacon: Like golf courses. Yet those members can go into the club and they do not have to sign the guest book, because they are members even though they are not voting members. Why is there a distinction, or a difference, between the way the board looks upon private clubs of that sort and the Legion?

Hon. Mr. Clement: As I understand it, the legislation dealing with private clubs, Mr. Speaker, is in conflict with the rules and regulations of some of these clubs. One of the problems of running certain Legion branches is that they don't, in fact, have the minimum number of members, that is 50. They are bringing forward younger people as associate or social members, but they don't give them voting privileges, and therefore we're having to phase some of these Legions out of existence.

Mr. Deacon: Well, let's not discriminate against the Legion.

Mr. Speaker: The hon. member for Sudbury East.

CHANGES IN INCOME SECURITY PROGRAMMES

Mr. Martel: I have a question of the Ministry of Community and Social Services. Could the minister indicate why, in his announcement yesterday, he did not include the FBA recipients, the mothers in particular, in that group who would be encouraged to go back into the main work force by allowing them to retain a certain percentage more, as was recommended by the Swadron commission?

Hon. R. Brunelle (Minister of Community and Social Services): That's a good question, Mr. Speaker, and it's one that we are looking into very actively at the present time. There is, I would say, a very high cost factor. At this time we were not able to come to a decision, but it's certainly a matter that is under review. It's also under review with the federal government, the whole question of ceilings on earnings.

Mr. Speaker: The hon. member for Downsview.

LIMITED DRIVING PRIVILEGES

Mr. Singer: Mr. Speaker, I have a question of the Attorney General. Could the Attorney General explain the basis of the recent decision by His Honour Judge Henriksen in Windsor, in which he gave a conditional discharge to a man who pleaded guilty to having blood alcohol content of 1.1, and then gave him driving privileges for his business, notwithstanding the recent decision of the Supreme Court of Canada which asserted that the legislation of the Province of Ontario as contained in the Highway Traffic Act was paramount?

Mr. Roy: That's a good way to get around around the Ontario Act. Is the Attorney General going to challenge that?

Hon. D. A. Bales (Attorney General): I haven't seen that decision yet, Mr. Speaker, but I'll be glad to take a look at it.

Mr. Roy: Very ingenious, eh?

Mr. Singer: By way of a supplementary, if the decision is as it is reported in the Windsor Daily Star of Dec. 18, and I'll send the Attorney General the clipping, is the Attorney General going to let it sit or is he going to appeal it and see that the laws are enforced as they are written; because after all we did spend a lot of money taking that appeal to the Supreme Court of Canada?

Mr. Bullbrook: Change the law?

Mr. Speaker: Is there any further response? If not, the hon. member for Riverdale is next.

FTC CHARGES AGAINST RETAIL CREDIT CO.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Is the minister aware that the Federal Trade Commission in the United States has made substantial charges against Retail Credit Co. alleging non-compliance in major areas by that company with the provisions of the Fair Reporting Practices Act? As Retail Credit Co. of Canada will be the major, indeed for practical purposes the only, company reporting under our Credit Reporting Agencies Act on personal information matters, will the minister undertake to the House not to recommend the proclamation of our credit reporting agencies bill until his ministry has consulted with the Federal Trade Commission to find out exactly the nature and extent of the alleged defaults by Retail Credit Co. in compliance with the United States statute, upon which our statute, in substantial measure, is modelled?

Hon. Mr. Clement: Mr. Speaker, it did come to my attention this morning that there had been some inquiries made into the activities of that particular company by the Federal Trade Commission in the United States. I think it's only good common sense to communicate with the FTC and ascertain, as the member says, the extent and nature of those particular allegations. In view of the shortness of time, having learned of it only this morning, I haven't consulted with my officials yet, Mr. Speaker, to see if we should communicate with them by telephone or by personal attendance, presumably in Washington. I think the member's advice or suggestion is well founded and I would be remiss if I didn't communicate with that agency.

I can only assure the House that if the allegations appear to be rather serious we will have a personal consultation if that agency will meet with us. I can only append at this time of the year my own personal regrets that the head office of that agency is not in Miami. I will contact them.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. Reid: Oh, come on!

Mr. Speaker: Well, if the hon. member for Grey-Bruce will defer to the member—

Mr. Reid: This is ceasing to be a joke.

Mr. Speaker: It is no joke. I received a note as I do from many members oftentimes long before any other members were up. I resent the inference from the member.

Mr. Reid: I was up from the very first of the question period.

Mr. Speaker: I resent the inference from the member. The hon. member for Grey-Bruce.

INVESTMENT OF OMERS FUND

Mr. E. Sargent (Grey-Bruce): I feel bad about that. I will take him down and buy him a drink afterwards. I have a question of the Treasurer, Mr. Speaker. He wasn't very communicative this morning. He may have some answers now.

Mr. Roy: I doubt it.

Mr. Sargent: Given the fact that under pressure the Treasurer took a new approach to the OMERS package, in view of the fact that they have a $154 million pension fund that comes up next week for reinvestment, and in view of the fact that the Treasurer has changed his agreement to 20 to 26 years at five per cent on $74 million and eight per cent on $80 million, instead of giving them an $8.1 million back interest payment on money he has already "stolen" from them, I would say in quotes—

Interjections by hon. members.

Mr. Speaker: I think the hon. member should withdraw that or rephrase his question.

Mr. J. M. Turner (Peterborough): What question?

Mr. Sargent: Well, I put that in quotes. I will start over again.

Mr. Speaker: Just rephrase or withdraw the words.

Mr. Sargent: If the Treasurer is going to be involved using their money, why doesn't he reinvest it at the current rate of 8.5 to nine per cent over 30 years and give them a decent deal instead of five per cent and a marginal thing like that?

Hon. Mr. White: Largely I suppose, Mr. Speaker, because while the hon. member was away the Legislature passed an Act—

Mr. C. E. McIlveen (Oshawa): He is never here.

Hon. Mr. White: —which enables me to pay about $10 million on Jan. 1 and another $280 million additional interest over the remaining term of the contract.

Hon. W. A. Stewart (Minister of Agriculture and Food): Why doesn't the member read Hansard?

Mr. Sargent: Supplementary: In view of the fact that the Treasurer has not given them his decision yet, how can he say that? He hasn't committed himself to this programme yet, the investment, has he?

Hon. Mr. White: There was a bill given royal assent just a few days ago.

Mr. Sargent: I am sorry, I didn't know that. But it doesn't come to 8.5 per cent over 30 years. We are talking about many millions of dollars. And, further, what right does the Treasurer have to use their money?

Mr. Speaker: Order. The matter has been settled by virtue of a bill that has been passed in this House at this session. The hon. member for Port Arthur.

ODOMETER INSPECTORS

Mr. J. F. Foulds (Port Arthur): Thank you, Mr. Speaker, I have a question of the Minister of Commercial and Corporate Relations—

Mr. Lewis: Why doesn't he change the name of his ministry?

Mr. Foulds: —for the smiling minister, Mr. Speaker. Since his branch evidently in October was suffering difficulties because of lack of personnel in prosecuting cases involving the rollback of odometers on used car sales, has the minister been able to persuade his colleagues in cabinet to boost his funds so he can beef up that particular section of his ministry so they can follow up those cases?

Hon. Mr. Clement: Mr. Speaker, with reference to that particular matter, I conferred with my officials and found to my delight there was really no real problem in terms of conducting the inspections. The number of complaints that we act on are not as extended as the officials would like them to be in terms of going to every agency and conducting an investigation at each and every agency licensed under the particular legislation.

I personally do not condone that type of activity unless a complaint has been founded. I think it might smell of harassment to those who are trying to conduct their business in a responsible fashion. The car industry is in somewhat of a difficult position because, as members know, our legislation makes it an offence for those licensed within the industry but it does not make it an offence for the general public. Many people do spin back their odometers prior to taking their cars to an agency as trade-ins on another product.

My counterpart in Ottawa has given what I consider to be some assurance that by an amendment to the Weights and Measures Act—

Mr. Stokes: What do they use—a Black and Decker drill?

Hon. Mr. Clement: —becoming effective hopefully later on this month or in early January, it will become an offence for anyone, including laymen and people in the car industry, to spin back odometers. When that happens, of course, it would come more within the purview of the courts and the Crown attorneys and become a police matter. I think the situation might correct itself. I am not concerned about it insofar as the car industry is concerned except those areas where complaints are lodged; then, of course, we must check them out.

Mr. Foulds: A supplementary, Mr. Speaker, if I may: Is the minister telling us that he doesn't feel he should really take the initiative in going to places about which no complaints have been received? That's the first supplementary. The second supplementary—

Mr. Speaker: I think the hon. member should ask one supplementary.

Mr. Foulds: All right.

Mr. Speaker: There are other members who wish to ask supplementaries.

Hon. Mr. Clement: Yes, it's my belief, Mr. Speaker, that if we receive a complaint we should go there and check out the complaint and see if the allegation is correct. I don't think there is an onus on us, as an agency of this government, to go and seek out information or run spot checks unless we have some basis of allegations and complaints against that individual operator.

Mr. Speaker: There is time for one more supplementary. The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, may I ask the minister if he has considered approaching the automotive industry in an attempt to have it find or develop an odometer which would be tamperproof and could not be turned back? It would resolve the problem.

Hon. Mr. Clement: Mr. Speaker, I understand that one major automobile manufacturer for two years has had a type of marker built into the odometer which is only applied to the face of the odometer when it's spun backwards. It leaves a purple stain which is supposed to be some indicator to the potential consumer—

Mr. Roy: Where does it leave the stains?

Hon. Mr. Clement: —that there has been a change of the odometer setting. I am also advised by people within my ministry that by handling the specific device in a certain way the odometer can be changed without the dye being left on the face of the odometer. I guess what I am saying, Mr. Speaker, is that there are many among us who are pretty ingenious and who attempt to defeat this type of device. But the car industry is aware of it and I understand that—

Mr. Roy: What does it stain—the hands?

Hon. Mr. Clement: —new devices are being developed forthwith.

Mr. Speaker: The time for oral questions has expired.

Mr. Roy: Already?

Mr. Speaker: Petitions.

Mrs. M. Scrivener (St. David): Mr. Speaker, to the Lieutenant Governor and legislation assembly, I do hereby present a humble petition from a great number of constituents of the riding of St. David—

Mr. Speaker: Order, please. I understand that it was not presented to the Clerk first?

Mrs. Scrivener: No, sir.

Mr. Speaker: It must be. I'm sorry, it's out of order.

Mr. Singer: The member will have to come back next year.

Mr. Speaker: Presenting reports.

Motions.

Introduction of bills.

Orders of the day.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE
(continued)

Mr. S. Lewis (Scarborough West): The last vitriolic attack on the crumbling administration.

Mr. V. M. Singer (Downsview): This should bring them down.

Mr. F. Laughren (Nickel Belt): This should bring them down, right.

Mr. J. F. Foulds (Port Arthur): They are leaving in haste.

Mr. Lewis: What an unruly mob they are.

Mr. Laughren: One could at least hope that the member for Timiskaming (Mr. Harrot) would stay, so he could get the benefit of my wisdom.

Mr. Lewis: The member is speaking for his constituents.

Mr. Speaker: Order, please; order. The hon. member for Nickel Belt.

Mr. Laughren: Thank you, Mr. Speaker. The 1973 budget was a turning point in the fortunes of the Conservative Party in this province. I don't for a minute think that, all by itself, it is going to pull down the government, but at least it indicated to the people of Ontario a change in the social policies of

this government. I think it became clear to those of us on this side that the colossus over there has indeed feet of clay. When we refer to it as a Stone Age administration, we do so with the evidence of the 1973 budget.

An hon. member: Stone Age with clay feet.

Mr. Laughren: Mr. Speaker, more than anything else the raising of the sales tax by two per cent and the removal of the mining revenue payments and not replacing it with anything else, indicated to the people of this province that this government was going to continue to ignore the needs of the lower economic strata in our society, and that a government with these budgetary policies will never ever be able to dispense justice or equity for the people of Ontario.

I think also that the people in this province are beginning to realize that handouts like the $50 to pensioners at Christmas time are not the answer. It is not meaningful aid to the elderly.

And no longer can tax cuts to the corporations, such as the mining revenue payments, be sold to the people in this province as necessary for stimulating employment. For example, the kind of cosy relationship that exists between the Conservative government and the developers in this province is now recognized and accepted by the majority of the population. The blatant pandering to the already wealthy and heavily-populated communities in southern Ontario for the political expediency of doing so, is recognized now by people in northern Ontario. This government is digging itself in deeper and deeper in terms of policies regarding northern Ontario.

But first, the government's somewhat subservient approach to the corporate sector is understandable, however it is reprehensible. Because we do know—and the Conservatives, when they are being frank with you in the corridors will tell you—that is where their election funds come from; and they understand what keeps them in power.

For example, we had a fairly prolonged situation develop in Sudbury over the operation of the air management branch when it was revealed that an air management branch inspector was issuing violations and nothing was being done with those violations by his superiors.

In an act of complete frustration, the air management branch inspector went to the media and told it all. It was an extraordinary measure for a civil servant to take, but it was the only way that the civil servant, Ross Mackenzie, could draw attention to the problems within the air management branch. What was the reward for this crusading young air management branch inspector? The heavy hand of the minister and eventual dismissal of that inspector.

So we have a setting in the Province of Ontario in which a select group moves freely and with some finesse; and in which other groups struggle from day-to-day reacting to situations over which they have no control, in the end subject to the whims of that select group in our society.

One can see the kind of society that is being developed if one looks at the pairing off of opposites. For example, there is the large farmer who is doing very well in the Province of Ontario, and the small farmer who is being phased out entirely—not entirely, but is gradually being phased out by the policies of this government. There is the large manufacturer who gets the kinds of grants they need to keep them happy and there is the small businessman who gets very little assistance from this government.

There are the large, self-governing professions which write their own ticket; and then there are the other professions—the teaching profession, for example—which have virtually no control over work environment. There is the whole problem of those people who are able to cope with the world in which they live and those who are not able to cope with it.

It seems that the government continues to cater to the young and the swift in our society instead of the old and the slow, who are the ones who need the assistance, and the budgetary policies of the government continually reflect this.

It is in northern Ontario that the Conservatives most obviously and most blatantly have abandoned their responsibility. Rather than narrowing the gap between the inequities of northern Ontario versus southern Ontario, this government widens the gap by a series of incomprehensible acts.

For example, when they attempted to impose the seven per cent energy tax on the province, that was highly discriminatory against northern Ontario where there is considerably more fuel consumed, whether it's for heating homes or for driving an automobile.

The removal of the mining revenue payments obviously was discriminatory against those communities in the north that required those payments. And even when they then brought in resource equalization grants to provide increased funds for all the organized

municipalities in the province, they once again discriminated against certain communities in northern Ontario.

When I did a rough analysis of how much in grants those communities were getting on a per capita basis, I was truly amazed to find that some of the communities that were getting grants really were not the communities that should have been getting them, and I would like to place some of those on the record.

For example, the city of Sudbury itself—I will come to the region later—with a population of around 90,000, received an increase in grants of $450,000, over last year's grants, which is about a $5 per capita increase in grants. The regional municipality of Sudbury got a little more; the grant worked out to about $7 per capita.

When one looks at the city of Sudbury and the problems of industrial assessment in terms of not being able to properly assess the mining installations, it is evident that that is not sufficient, compared to the other communities.

Let's take a look at Sault Ste. Marie, for example, which has a large industrial complex in the form of Algoma Steel: Their grants worked out to $42 per capita. Windsor, with its automobile plants, received $14 per capita. Metro Toronto, the wealthiest of all the communities in the province, got $10.50 per capita. London, $23 per capita; Kingston, $28 per capita; North Bay, $25 per capita; and so on. One can go through almost the entire province and see that the city of Sudbury was discriminated against in the resource equalization grants.

What's particularly obnoxious about this is that that resource equalization grant was supposed to provide a higher level of services in those communities that needed them. Surely Sudbury is one of those communities that for years has lacked the social amenities of the more wealthy communities.

As a result of the Treasurer's (Mr. White) resource equalization grants, this problem is being exacerbated by the provision of higher per capita grants for those communities that already have high assessments and the kind of services that Sudbury has never had. That kind of discrimination against the communities in northern Ontario does not go unnoticed in the north and it is one reason why one has that growing sense of alienation in northern Ontario.

The whole problem of transportation in northern Ontario has plagued people who live there, and yet the government announces something like a $1 billion transportation programme for the major cities in southern Ontario; and it could very well be that is not the direction that public transportation should be moving in this province anyway.

To this day there remains no long-run strategy for the development of northern Ontario, despite the acknowledgement of the Minister of Regional Economic Expansion in Ottawa that the growth rate in northern Ontario is slower than the growth rate for the Maritimes. We pride ourselves in being a strong, healthy, growing, vibrant province, the wealthiest in all of Canada, and yet here we have one segment of the province that has a slower growth rate than the Maritime province.

To this date there is no legislation dealing with those unorganized communities in northern Ontario that have no form of municipal organization whatsoever. It is well over a year ago that the then Treasurer (Mr. McKeough) stood up and said that they were going to bring in legislation dealing with the unorganized communities in northern Ontario. This very afternoon during the question period we had the Provincial Secretary for Resources Development (Mr. Lawrence) indicating that he knew there were problems in some of those communities, but there was going to be legislation; and when you press him as to when there is going to be legislation, he doesn't have the answer at all.

When the resources equalization grants came in, not a single penny went to the unorganized communities in northern Ontario—not a single penny, despite the fact that they have sewage and water problems, despite the fact that they have serious problems with housing and there are no community centres in a lot of those communities. There are very serious problems that detract from the kind of lifestyle that people up there deserve, just as much as people in other parts of the province.

The government is going to have to make a decision as to whether or not those small communities of anywhere from 100 people up to 1,000 people are viable. If they are viable communities the government must provide them with the kind of expertise, the kind of support that would offer to the people in those communities the kind of lifestyle to which they have a right. Sooner or later the government must come to that decision.

I'm going to talk about a couple of those small communities because I think they are indicative of communities all across northern Ontario. I'll name the communities. One, for

example, is the little town of Sultan, which is about 150 miles north of Sudbury. That community has no recreational facilities whatso ever. The educational facilities are sadly lacking; the students are bused into Chapleau. To this day, as far as I know, there is no kindergarten teacher. They had to send the kindergarten students home, because the grade 5 teacher, I guess it was, quit; they moved the kindergarten teacher up to teach grade 5 and sent the kindergarten students home for the year, because it is very difficult to attract teachers into those communities.

The sewage and water problems are serious in towns like Sultan. The employment opportunities are virtually nil and the cost of living is very high. In Sultan, for example, there are 71 families, according to the post office. Twenty of those families are living on some form of welfare. So out of 71 families you have 20 of them receiving social assistance from the province. I know there are others living on unemployment insurance. It is a sad commentary on communities in northern Ontario, centres that at one time were important to this province because they were railway towns and the province has simply abandoned them.

Another community with rather severe problems is a town called Foleyet; it has similar problems with housing, sewage and water—it has a problem with a polluted water table—and lack of recreational facilities, an employment problem once again, and the cost of living is very high.

The last town I'd like to mention is the town of Gogama, which you heard mentioned in the question period today, Mr. Speaker. The town of Gogama really has an interesting story, because about five years ago a new highway, Highway 144, was built linking Sudbury and Timmins. Previous to that there was an old highway, which went a different route that went directly into the town.

They built a new highway two miles from the town of Gogama, closed one entrance and put a new entrance in from the highway. At the intersection of that entrance on Highway 144, they gave a permit for an Imperial Esso station which sells virtually everything that anyone would need driving through there; and eventually they will even have cabins or motel units there.

Now what is being, effectively, done in the Ministry of Transportation and Communications, is to kill the town of Gogama. There is no reason for tourists coming by to drive into the town of Gogama. All they do is see a sign that says "Gogama." They don't know how big it is. They don't know how far it is.

Mr. J. R. Breithaupt (Kitchener): They don't even know what it is.

Mr. Laughren: They don't even know what it is, that's right. And yet the Minister of Transportation and Communications (Mr. Carton) and the policies of his ministry, built the highway two miles from the town when they could just as easily have swept in close to the town so people could see the town itself.

I am not suggesting they have to go right down the main street with the new highway.

Mr. D. M. Deacon (York Centre): Could bypass.

Mr. Laughren: If they had swept in within 100 yards of the town, people would see there is a viable economic unit there; and that there are services available to them there. So they have to exacerbate the problem by closing off the second entrance and by giving a permit to an Esso station—and not a local person either I might add—

An hon. member: From Toronto?

Mr. Laughren: —to operate virtually everything. Ever since it happened, the people in the town have been going to the Minister of Transportation and Communications and saying: "For heaven's sake, would you at least open up that second entrance again so that people coming from the south will see another entrance before they see the one with the large service centre at the corner."

It's really a deplorable situation. I attended a meeting in Gogama earlier in the fall and the Ministry of Transportation and Communications sent one of their experts in to discuss the problems of Gogama with the citizens' committee. His contribution at that meeting was to say that, well it really wasn't the fault of the Ministry of Transportation and Communications. It was because there was no organization in the town which spoke for the town as a whole. In other words, he was saying it is not an organized municipality, therefore it is their fault. I can tell members he was dealt with rather abruptly at that meeting.

Mr. Foulds: I should hope so.

Mr. Laughren: That is the kind of comment we don't need from somebody coming from southern Ontario, from Toronto, and

telling the people in Gogama it is their fault that they are not an organized municipality. And the Minister of Transportation and Communications to this day is studying the problem; when it is clear that there is only one answer. He destroyed the town, so he can damn well do what is necessary now to retrieve some kind of economic viability for that community. It is a very serious problem.

There are other centres; places with strange sounding names, but delightful little towns. They all have serious problems. There are places like Westree, Shining Tree, Biscotasing, Ramsay, Kormak, Otter Lake, Sheppard, and Morse—I can go on. But it is not just in Nickel Belt; it is all across the northern part of this province.

And one of the things that people down here don't seem to realize is that the people up there pay for services they never receive. The people in northern Ontario and those communities pay the same Medicare premiums as the people in Toronto; and they receive nothing in return; not even a nurse-practitioner in those communities. There is certainly no ambulance service; certainly no doctor.

The Ministry of Health will not send in nurse-practitioners to practise in those towns. There is no reason why that should not be done. When I approach the ministry and the medical officer of health for Sudbury district, time after time I get the same answer: "We can't get anyone to go in there."

Well they damn well could get someone to go in there if they had offered the right kind of salary. There are people who would go into those communities. The Ministry of Health is just ignoring the problem, because quite simply Mr. Speaker, there are not many voters in those communities; and the government doesn't give a damn if there is not a substantial population to which they can appeal. That is really the story of why they are appealing to the larger communities in southern Ontario. We understand that.

The roads are unbelievably bad in those areas. I am not talking about the major highways, like Highways 17 and 169, that has been debated sufficiently in the Ministry of Transportation and Communications' estimates.

I would like to read to members from Ontario's fastest growing newspaper, a monthly called the Nickel Belt New Democrat.

Mr. Foulds: A fine paper.

Mr. Laughren: Whose editorial policies, I might add, are superior to those of the Globe and Mail.

Mr. Foulds: That wouldn't be hard!

Mr. Laughren: This is describing a trip from Chapleau to Foleyet;

> The return trip through Foleyet made it clear that the New Democrats have been wrong in describing the Queen's Park Tory government as right wing. The Tory government is not a right wing government, it is a middle of the road government.
>
> How do we know this? During the weekend five ins of snow fell, and it turns out that despite the valiant efforts of the local roads board, our middle of the road government only can find resources to sand, plough and sometimes salt the middle of the Foleyet road. It is truly fortunate that we have no four-lane highways in the north or we would be in real trouble with all that sand on the median.

Mr. S. B. Handleman (Carleton): Use the left lane!

Mr. Foulds: They would have a divided highway, both sides unploughed.

Mr. Laughren: It goes on:

> Presumably this is part of an austerity programme by the middle of the road government to fight inflation. Remarkable that Bill Davis hasn't tried this in Mississauga.

That's from Ontario's fastest growing monthly newspaper, the Nickel Belt New Democrat, with one of the finest editorial policies in the province, Mr. Speaker. I highly recommend it to you and to other members of the Legislature.

Mr. M. C. Germa (Sudbury): Are we selling subscriptions?

Mr. Laughren: Yes. As a matter of fact, we sell subscriptions, we sell ads; it's a thriving venture and a viable social force in Nickel Belt, I might add.

Mr. Breithaupt: And Timiskaming.

Mr. Laughren: And Timiskaming, yes.

Mr. Foulds: Gaston Demers can't advertise in it though.

Mr. Laughren: One of the other policies in which this government discriminates against northern Ontario is the kind of freight rates we have. I'm not going into that at great length, but I'll just give members one example. For the National Steel Co., just north

of Sudbury, to ship a ton of ore to Pittsburgh it cost $10. For the farmers in Nickel Belt, and there are some excellent farmers in Nickel Belt—potato farmers in particular in the valleys around Sudbury—it costs them $183 to ship a ton of fertilizer from Toronto to Sudbury. Mr. Speaker, one doesn't have to be very bright to understand that it should be the other way around.

Mr. Foulds: Even the hon. member for St. Catharines understands that!

Mr. R. M. Johnston (St Catharines): The garden of the world, St Catharines.

Mr. Laughren: It costs $10 to ship a ton of ore from Sudbury to Pittsburgh and $183 to ship a ton of fertilizer from Toronto to Sudbury. How are we going to diversify the economy in northern Ontario with those kinds of freight rates?

Of course, one of the main problems of northern Ontario is the political representation, having only 15 seats for all northern Ontario. That's why, Mr. Speaker, when we were debating the election reform resolution of the Premier's (Mr. Davis), I suggested it was wrong to assume the number of seats will remain the same. There should be at least one more seat in northern Ontario, and it should be in the Sudbury area.

In summary of the government's policies on northern Ontario, Mr. Speaker, it seems that this government has a kind of colonial attitude toward northern Ontario. It is as though it has been so accustomed to having the United States dominate the Province of Ontario, it feels it must act in kind to the north.

Mr. Foulds: That's true. That's a very thoughtful observation.

Mr. Laughren: One thing I should mention, and it's too bad the hon. member for Timiskaming isn't here—

An hon. member: He's on vacation.

Mr. Laughren: There's a project people are talking about a great deal in northern Ontario called the Maple Mountain Project. It is supposed to be the new northern Ontario Place. I would like to read into the record a comment made by the Save the Maple Mountain Committee;

> We seriously doubt that in the long run the project will alleviate the depressed economic conditions of the region. The sort of venture being considered is a destination resort and the success of this kind of resort is dependent on most of the money being spent on the site. In other words, all facilities needed by the tourists will be provided at the site. Since the proposed location will be 35 to 40 miles west of Highway 11, the economic benefits which will accrue to the residents of Cobalt, Haileybury, New Liskeard and Latchford will not be as great as some have suggested. Moreover, jobs provided by the tourist industry are notoriously low paying, usually seasonal, and often have a high turnover rate.

When this ministry, and particularly when the hon. member for Timiskaming talks to the people in the local municipalitiees he tells them, "It's this or nothing. You either take this kind of development in the area or there will be none." Then we wonder why the people in the community get uptight when someone says maybe it shouldn't go through. They see no other alternative. I can tell you, Mr. Speaker, that there are many people having second thoughts about that development; not the member for Timiskaming, because he has yet to have his first one.

Mr. P. D. Lawlor (Lakeshore): His only one!

Mr. Germa: It will die of loneliness!

Mr. Laughren: However, I would like to talk for a moment about our resources in this province, Mr. Speaker. It's really unbelievable that this government would allocate $1 billion plus to a transportation system that in itself doesn't, in the long run, create new wealth in a peripheral sense, while it allows the resources to continue to be exploited in such a way that the long-run benefits will turn into deficits because of their non-renewable aspect. And when those resources are gone, so goes the community. I am not talking about a mining camp that is going to disappear. I am talking about large, viable communities which, when those resources are gone, will also be gone.

The answer is not to leave the resources there and not exploit them, of course not. The answer is to extract them and to exploit them wisely. But the multi-national corporations are not required to make any kind of commitment to the development of those resources. They don't have any commitment. They have no social commitment at all, for the growth of northern Ontario.

Mr. E. M. Havrot (Timiskaming): There's the expert on hot dog stands.

Mr. Laughren: It's good to see the member for Timiskaming in his seat.

Mr. Havrot: There is the self-proclaimed expert on hot dog stands.

Mr. Lawlor: Say it all over again, tell him about it.

Mr. Laughren: This government should have, as required reading, Mr. Speaker, a couple of reports put out by the Science Council of Canada—a couple of background studies called "The Multi-national Firm: Foreign Direct Investment in Canadian Science Policy;" another one, "Innovation in the Structure of Canadian Industry;" and then the report itself by the Science Council, "Innovation in a Cold Climate." I'd like to quote from that report. I'll just clarify it briefly.

This is a report talking about the lack of innovation and the problem of unemployment in the manufacturing industry. In this country, and Ontario is no exception, employment is growing in the service industries, but not so to any substantial amount in the manufacturing sector, and that has serious long-run implications. I quote from the Science Council's report, "Innovation in a Cold Climate":

> Canada's economy in this decade will increasingly become dependent on the resource and service industries. Resource industries offer limited opportunities for employment. Furthermore, much of their profit does not remain in Canada.
>
> This funnelling of funds out of the country is likely to stunt the growth of our service industries, which are unlikely, in any case, to use the very people in whom our most substantial educational investments have been made. Our participation in international trade will become less and less significant, and we will become, once again, mainly suppliers of raw materials to the North American continent.

That's the Science Council of Canada talking, Mr. Speaker. The Science Council places the blame primarily on a couple of things. The branch-plant aspect of our economy, and the reliance of those branch plants on innovation and research done south of the border.

I am firmly convinced that the only long-run solution is the public ownership of the resources of this province. We all know, Mr. Speaker, if we want to be perfectly honest, that those resources belong to the people of this province. They do not belong to any corporation.

Mr. B. Gilbertson (Algoma): Well what are the members opposite going to do with them then?

Mr. Laughren: Let the member just stick around and I'll tell him.

Mr. Gilbertson: What are they going to do with them?

Mr. Laughren: We would exploit the resources so that they provided employment in manufacturing; that's where the employment is. Every time you ship a ton of ore out of this country, you are exporting jobs.

Mr. A. Carruthers (Durham): Just like they've done in England, or Sweden or Denmark.

Mr. Laughren: We are talking about an entirely different kind of economy.

Mr. Carruthers: How does the member know he is?

Mr. Laughren: Well let the member tell me about the resources of Sweden. Let him tell me about the resources of the Scandinavian countries.

Interjection by an hon. member.

Mr. Laughren: I am talking about a country that is rich in resources. The member for Durham doesn't know what he is talking about.

Mr. Lawlor: He just doesn't like the pornography, that's all. He thinks the manufacturing is all right.

Interjections by hon. members.

Mr. Carruthers: Members know what happened—

Interjection by an hon. member.

Mr. Laughren: Mr. Speaker, if I could give you one more short quote:

> A national industrial strategy can be formulated to produce substantial economic and social benefits in the years ahead. The strategy must be based on our two strengths: A growing population of skilled people; and our rich store of natural resources. Technology-based manufacturing industry in resource-related fields is the key element in a co-ordinated industrial strategy.

Now who else is going to develop that manufacturing, Mr. Speaker? It should be obvious, after these many years, that it's not the private sector; they have no incentive to do it. It will not be until we do it; the people of this province through Crown corporations, that those resources will ever be developed along the lines of providing materials for

manufacturing industries. We should not be regarding the resources as an end in themselves, but rather as a lever for the industrial development of northern Ontario; and the sooner the government realizes that the sooner it is going to get rid of the unemployment problem.

Mr. R. Haggerty (Welland South): He wants us to live like the Chinese, who work for $6 or $7 a week.

Mr. Laughren: Well, there is the incredible right-wing attitude of the Liberal government again. They are either espousing right-wing comments about the labour movement or the teaching profession, or they are afraid that public ownership of resources is going to take us into some kind of communist state. Well, Mr. Speaker—

Mr. Carruthers: Very healthy looking—

Mr. Haggerty: It's only going to cost $25 million per person—

Mr. Laughren: Well, Mr. Speaker, that indicates the level of intelligence of the member who is speaking that way—

Mr. Speaker: Order.

Mr. Laughren: I'm sorry, but I won't retract that, Mr. Speaker. That kind of comment is too damn stupid to even entertain.

Mr. Speaker: The language that is being used is not parliamentary.

Mr. Laughren: Who is that man? What is his name? I've seen him here so seldom.

An hon. member: He believes in national enterprise.

Mr. Laughren: Let's see; that's the member for Welland South.

Mr. Haggerty: Kind of strikes a sore spot with the member.

Mr. Laughren: Yes it does; because I'm insulted that we have members with that level of comprehension sitting in the Legislature representing the people of this province. I'm offended by that, yes. Quite frankly, it is a sore spot with me; because he doesn't know of what he speaks.

Interjections by hon. members.

An hon. member: What makes the member an expert to judge?

Mr. Laughren: I would like the member for Welland South to indicate what kind of scientific research has been done to support his argument? I have lain before the members the kind of documents that are substantial. They have a great deal of research behind them by the respected Science Council of Canada. Now the member for Welland South appears to speak with some authority on this subject. I would like to know what his source of authority is.

Interjections by hon. members.

An hon. member: They don't have any source of authority.

Mr. Laughren: All he has is a gut feeling, right-wing, anti-union philosophy.

Interjections by hon. members.

Mr. Speaker: Order! Let the member for Nickel Belt go ahead.

Mr. Laughren: Thank you, Mr. Speaker.

Mr. Haggerty: This is where the member and I depart on principle.

Mr. Laughren: How can we depart on principles when the member doesn't have any?

I firmly believe, Mr. Speaker, that public ownership of our resources is the only answer in the long-run, for a number of reasons.

One, for long-run economic planning and development of northern Ontario.

Two, for an integrated industrial growth in manufacturing related to the industries; as recommended by the Science Council of Canada.

Three, in order to have economic and population growth throughout the province, not just in southern Ontario. Most people accept the fact that having growth just in the Toronto-centred region is not for the long-run benefit of the province.

Four, to provide communities in the north with employment opportunities for the young, the well-educated and for women; because at the present time those opportunities are not there.

And number five, in order to retain profits or surplus in this province to enable us to deliver the kinds of services to people all over Ontario, not just in southern Ontario.

Mr. Speaker, the Economic Council of Canada brought down a report recently defining the growth of expenditures in the public sector. What it is really saying is that we don't have the kind of manufacturing sector and industrial sector in this country to substantiate and support growth in the

public sector. It is only through long-range planning, and in my opinion public ownership of our resources, that we will be able to do that. As long as we have the kind of budgetary policies provided by this government, Mr. Speaker, you will not get my approval for the budgetary policies of this government.

Interjections by hon. members.

Mr. Speaker: The member for Welland South.

Mr. Haggerty: Mr. Speaker, I do want to enter the budget debate. Perhaps I did stir up the member for Nickel Belt, but I think on occasions a person in this House has to draw the line on certain views that are expressed. He talked about the large cost for fertilizer to northern Ontario. This is quite true, but it also costs quite a bit in southern Ontario too, although you may only be seven or eight miles from a plant.

When I happened to be in the area of Sudbury this year I noticed the large development occurring in the farm belt in the Sudbury basin. I was a little bit alarmed that, much of the farm land is being destroyed by urban development. If this continues in that particular area without proper planning I am afraid that fertilizer will come a little bit too late in the area.

I want, first of all Mr. Speaker, to mention the business of this House. As a member here I am rather disappointed in the procedures and methods by which the business of this House is carried out. I know it is causing, perhaps, quite a problem to all the members of the House, and particularly to the Speaker, who has a very important task in keeping order in the House. I am sure, as I recall my days sitting on council, if we had run our council in the manner in which this House is run the people would have had us out on the streets. I would suggest that perhaps a committee should be established, again before the new session of Parliament opens, and that we sit down and revise procedures on the matters concerning the House so that we have proper order in the House.

I think the members of this House are entitled to know what is going to be on the order paper so that we can have sensible and reasonable debate in this chamber. This business of the ad hoc running of this Legislature from one bill to another—I don't know, I think this afternoon is just a waste of my time, even speaking this afternoon in this chamber. In a sense I believe I am stalling for time so that perhaps another commitment will come through on Bill 274 and there will be some changes made; perhaps there will be some settlements made by the school boards which have not reached agreement with the teachers who have resigned in their disputes with the boards.

I hope, whoever is listening, perhaps some of these suggestions will be picked up by the House leader and a committee will be formed.

The most important thing I want to talk about, Mr. Speaker, is the budget. I was a little bit concerned about the seven per cent fuel tax which was suggested in the budget report this year. We know the government has withdrawn this proposed seven per cent tax but I think it has left some ill or hard feelings throughout Ontario, and perhaps even throughout certain provinces of this great Dominion.

In particular, I think it is one of the issues which caused some of the hard bargaining going on now with the Province of Alberta over this energy crisis. I believe it all started here in the Province of Ontario with the proposed fuel tax and I can't blame the Premier of Alberta for suggesting we were going to tax energy in the Province of Ontario by seven per cent, surely he is entitled to have the profit in that province. I believe this is what has caused it all.

Most of all I think the energy crisis before us is an important issue and I am a little bit amazed that to this late date in the Legislature we have not had an estimate dealing with the new ministry that has been established through the legislative powers here. We don't know what it is going to cost the taxpayers of the province or what programme is available to the taxpayers of this province.

I understand the Minister of Energy (Mr. McKeough) is over in England trying to sell CANDU nuclear power generating plants. I was a little bit disturbed that Italy had turned down the offer of CANDU for its type of nuclear energy and gone back to the perhaps more reliable nuclear energy generating stations or programmes they have in the United States.

I wonder if the minister isn't running off on a wild goose chase to England when there are problems here in the Province of Ontario which should be solved now. I was interested in this during the questioning of the minister in what little time we did have for this during the estimates of the Ministry of Natural Resources. I understood that we would have a further debate in this chamber, but apparently we are not going to have it.

I was alarmed mostly about the proposal of the minister that Ontario Hydro, and I guess they have made representation to the National Energy Board—export further energy to the United States. I can concur with this view. If we have a sufficient amount of supply here then I think we should export it.

The United States has a safety factor in that they must have a limit of within 20 to 25 per cent in reserve. Here in the Province of Ontario we have anywhere from 22 to 27 per cent in reserve. I was just wondering why the Minister of Energy would be supporting this cause of exporting additional energy to the United States. Perhaps we do not have a sufficient supply in reserve for ourselves.

I am also concerned that by exporting this energy to the United States and the member for Nickel Belt could be quite right in what he said about the jobs in northern Ontario—we are not exporting jobs also to the United States too.

I look at the present list of current exemptions from the provisions of section 113, formerly 106 of the Mining Act, granted to mineral companies by order in council. This is done by permissive legislation so that they can export raw material from our mines in Ontario to some other country for processing. When you export energy and export some of your raw natural resources you are exporting jobs too. Above all, I think we should be setting Canadian priorities first.

One of the main issues of the energy crisis was engineered by the United States some 12 years ago when President Eisenhower put an embargo on oil coming into the United States. The main purpose of this was to bring up the price of gasoline in the United States and also provide larger profits for the oil kings from the great state of Texas. I suppose with the problem that exists here in Canada, and with the issues that are facing the Canadian government and the Province of Alberta, we have this trend flowing into the Province of Alberta, where a great number of American oil kings are well established.

They have shown a mercenary policy in the matter of gouging the population here in Canada, as in the United States, as they fill the coffers of multi-national corporations. I can recall one of the remarks I heard in a trip out west, that 75 to 80 per cent of the people living in Calgary are Americans and they all are interested in Canadian oil production here in Canada. I suppose with the pressure being applied from that level on Premier Lougheed this is the stand he has taken. I have to go back to my original statement that the actions taken by this government last spring in the budget by suggesting bringing in a seven per cent fuel tax brought this issue more to the forefront than anything.

I was interested in reading some of the Minister of Energy's speeches that he is making throughout the province. You wonder if it is more political than anything. I think he is not dealing with the issues.

In one he spoke to the youth policy conference on York University's main campus in Toronto: He says, on page 13:

> But nation building must go on and national policy must march forth. With that creativity that marks the Tory mind we think we may have come up with a way of moving the Grits off the mark. I am thinking very seriously—very seriously indeed—of speaking to Stephen Lewis about it. My thought is that I'll ask him to talk to David Lewis and get him to talk to Prime Minister Trudeau and tell him that this is a matter of crucial importance to the NDP caucus in Ottawa. My thought is that we might be able to harness any energy implicit in the erratic opportunism and direct it towards a development of relevant national policy.

Apparently the minister has failed in that goal, to talk to Stephen here to go back to Ottawa and to talk to his dad. I think that they are well aware of the need for a national energy policy throughout Canada.

When we talk about a national energy policy this is great, but I don't know what steps the Province of Ontario has taken or whether it is going to co-operate in this national energy policy or not. I was interested in the recent remarks of Henry Kissinger, the Secretary of State of the United States, who suggested that if all the countries in this world are to survive, we must have a world energy policy to share all our resources and make better use of them. So when we hear the member for Nickel Belt saying that we should nationalize everything, I don't think that is going to solve the problem. We have to look at broader terms and look at the world situation as a whole, because I think we are now much closer to solving the world's problems, and this is one of them.

Perhaps Ontario is going to have to make a strong investment, not in talk but in money, to develop the Athabaska tar sands. There has been no commitment from the minister here on whether this province will share in that programme, but I think that if we, as Canadians, want to survive this energy crisis,

this province is going to have to put up or shut up.

When we think of the 30 years of Tory rule in Ontario, then surely this province must have had some indication that this energy crisis was upon us. I don't know what they've been doing for 30 years.

Where is the so-called planning in the Province of Ontario? In 1972, the minister signed an agreement to develop lignite deposits in the James Bay area—in 1972, about 30 years too late. Perhaps the member on the other side who is shaking his head and walking out doesn't quite go along with me, but he deals with planning in the Province of Ontario—and we've seen some of this in the past couple of weeks that many of us are not too happy about.

I'm just wondering, though, what this province is going to do in this energy crisis. When one reads headlines such as, "Davis Says Gas Rationing is Possible," are they telling the truth about the seriousness of this energy crisis to the people of the Province of Ontario? Perhaps it isn't going to affect us this year, but next year it will.

Has this government given any consideration to sharing the $40 million that the federal government wants to spend to establish a national energy corporation? Have they given any consideration to building huge storage tanks in the Province of Ontario to store enough crude oil and oil products for at least 120 days? We don't have that kind of supply on hand. Or is this government perhaps leaning towards the giant multinational corporations and playing into their hands? I think much of this oil crisis has been created by this type of manipulation.

I was interested to read an article in one of the newspapers last night that six of the giant oil-producing countries are meeting again to put another increase on the price of oil, and of course this is going to have some affect on the Province of Ontario. We can't solely blame the federal government for this, they have their problems too. I think much of this in the past has been caused by the government protecting the large oil companies, who are protecting their quotas so that they can create a shortage and put up the price of oil and gasoline.

What the minister is going to do, I don't know. We look forward on this side to see what kind of policy he's going to come up with. I wonder, for instance, whether he is going to share in the national energy corporation the federal government has suggested. I do hope that the province will be helping to fund that venture to help solve the energy crisis in Ontario.

I was also interested in the minister's suggestion not too long ago, on Nov. 5, 1973, that there would be another increase in the price of hydro to the consumers in the Province of Ontario. I was a little concerned about the 10 per cent increase to those persons living in rural areas. Once again I believe those people living in rural areas, myself included as one of them, are paying more than a fair share for the cost of energy in the Province of Ontario, and particularly to Hydro. Since it has been formed now as a Crown corporation, I believe the price of electricity should be more on a equal basis.

I would like to read into the record, Mr. Speaker, a letter I received from – I guess he might be one of my constituents; he's either in my riding or the riding of the member for Welland (Mr. Morningstar). This letter is dated April 17, 1973. It says:

> I would like you to look into why the town of Pelham is unable to standardize on Hydro service as it has on water service. I believe that the water comes from two major sources, the local wells and purchased from the city of Welland. My water comes from Welland and I used to pay 50 per cent more, but the rates paid by all residents of Pelham that use the water is the same for about the past year, whether the water comes from the wells or from Welland. The water from Welland costs the utility more than the water from the wells.
>
> I live in a subdivision formerly in the township of Pelham, adjacent to the former village of Fonthill; still nothing has been done to standardize the services and charges for electricity. Fonthill is serviced by the Fonthill Hydro Commission and the rest by Ontario Hydro. Usage of 2,000 kw an hour in a two-month period, class 1B, would cost me $37.60 from Ontario Hydro; whereas the same amount would cost my neighbours one street over who lived in the former village of Fonthill, only $29.25; so there is almost a difference of $8 for the billing. This difference is very unjust since Fonthill Hydro Commission buys from the Ontario Hydro and still charges less.
>
> Also, the rate increases by Ontario Hydro have been unjust in the past years. The same 2,000 kw hour with Ontario Hydro would have cost $28.25 net in April, 1966, and now it cost $37.40 net or 34 per cent more increase. My natural gas, a private

enterprise, has not increased at all in the same seven-year period. Something should be done immediately to rectify this inequality. I hope you are the man to do something about it.

Yours truly,

I tried to follow this up a little bit further, but I couldn't get sufficient information from Ontario Hydro on it.

I made some inquiries to the local utilities, and, for example in the city of Port Colborne, the rate for 2,000 kw is $26.35. That's almost $10 less than the one the constituent was complaining about, $37.60; St. Catharines was $24.18—and there was an increase, I believe in April, to $25.65; Niagara Falls is $24.50; and Thorold $23.45. There is quite a difference—as much as $12 to $13—in local Hydro rates throughout the regional municipality of Niagara.

This latest increase, 10 per cent, is going to put a substantial increase on the Hydro rates in the rural areas of the Province of Ontario.

Since Ontario Hydro has now become a Crown corporation, I think by all means the Hydro rates should be more uniform throughout a region, particularly the Niagara region. There shouldn't be that much of a spread between a rural area and the local public utilities commission.

There are pros and cons to it, but I think in the long run, over a period of a number of years, perhaps 40 years, the people living in the rural areas have contributed to the Ontario Hydro system. They are shareholders in it and consideration should be given to more uniform rates in any municipality.

I know this has always been a problem where, say a city has annexed a certain area and has had to go in and purchase the plant and system from Ontario Hydro at very substantial cost I know one of the recommendations for one commission in the regional municipality is that Ontario Hydro would let it go to one commission provided it went in and bought all the plant and all the utilities, the transmission lines and so forth, but this may cost anywhere from around $50 million between the two former counties of Lincoln and Welland, which would be perhaps a substantial increase to one commission.

By that I mean, if they had to go out and buy that existing plant from the Ontario Hydro it would mean that the region might perhaps have to go into debt another $60 million. The cost would be spread over all the users of hydro in the region and of course this would be a substantial increase to the whole system; to all the users of hydro in the area. I don't think this is quite fair.

What I am suggesting, Mr. Speaker, to the Energy minister, is that a revised programme on transfer of rural plant facilities to larger hydro commissions for utilities, should perhaps be on a more equitable basis so that they don't have to buy this plant back. After all, those people are part of Ontario Hydro. They always have been.

Those are the things that perhaps are more concern to me than others. I hope that perhaps the minister will follow-up some of the suggestions I have placed before the Legislature today. We look forward to being back in the House in the new session sometime—when is it, in February? Make it early anyway.

An hon. member. Not before March..

Mr. Lewis: Note that "probable" applause.

Mr. M. Shulman (High Park): Mr. Speaker, I'd like to begin with two apologies. First, unfortunately, I have a cold and sore throat—so I am going to have to whisper a bit through this speech. And my second apology is for my poor attendance this past six weeks, which I sincerely regret.

Interjections by hon. members.

Mr. R. F. Nixon (Leader of the Opposition): The member's colleagues are just getting back at him.

Mr. Shulman: And I apologize for it. Believe me, it was not a matter of will; it was completely necessary.

However, I have prepared some remarks which I feel have some value. In fact I got into some trouble preparing them. And although I have had a poor attendance, I never speak without a quorum, sir; so if you will supply me a quorum, I'll proceed.

Mr. Speaker: There is no quorum.

Mr. Speaker ordered that the bells be rung for four minutes.

Mr. Speaker: I now see a quorum. Would the member for High Park proceed.

Mr. Shulman: Thank you, Mr. Speaker. The whole point of us back-benchers and us opposition members attempting to prepare material here is not to talk to ourselves but to attempt to get some ideas through to the cabinet. They have had weeks and weeks to think and ponder on Bill 274. Surely they can spare some of their members to come into

the House and listen to the opposition members trying to give them some ideas to improve the work in this province.

Mr. Breithaupt: There is one.

Mr. Shulman: More or less. Mr. Speaker, before I begin I would like to correct one error that has appeared.

Mr. D. R. Timbrell (Don Mills): Where was the member when the vote was taken last night?

Mr. Shulman: That is what I am coming to. Mr. Speaker, I want to correct one error. One of the Conservative back-benchers mentioned a day or two ago—and it has just been echoed by the member for Don Mills—about my presence or non-presence at the vote last night. I did stay to hear the debate, but I left before the vote. One of the back-benchers—I think it was the member for Lambton (Mr. Henderson)—got up last week and said that the record showed that out of 23 votes I had missed 22 and I was only present at one. I wish to object very strenuously, sir, to that because that is quite incorrect.

Mr. Timbrell: He wasn't here for any of them.

Mr. Shulman: I missed them all. I wouldn't want Hansard to mention I had voted once, because I have taken great care not to vote at all this session. I did vote twice on one vote, but that was a voice vote and it didn't get counted. Perhaps that is what they meant.

I want to say just a word about the budget, Mr. Speaker. The Premier of this province the other day made a speech in which he said not to worry, Ontario is going to be spared the horrible effects of the oil crisis and the horrible effects of the apparent recession which is creeping upon us, because we are well supplied with energy. In fact, he went so far as to say we may benefit because we are well supplied and others are not. We will be able to do business and we will be able to supply the markets of the world.

This is the normal thing for a politician to do. Politicians like to say the right thing; don't worry, trust in us, everything will be all right. It is a dangerous thing to do, because it is untrue. It is true we have enough energy compared to everyone else, but where we are going to run into great problems is in shortages. It is dangerously deluding the public to suggest that as a branch plant economy, which we are, we are not going to suffer serious effects of this recession that is beginning in the United States.

I was in Minnesota two weeks ago, and down there they are horrified to find that all their plywood factories are shutting, not because there is any shortage of plywood, because there is lots of it, but because they can't get the glue to glue the plywood together. The reason they can't get the glue is glue is a side product of oil refining. The list of things that are side products of oil refining are horrendous and tremendous—all the way from glue to plastic, to rubber to anti-freeze, to—

Mr. A. J. Roy (Ottawa East): Clothing.

Mr. Shulman: —clothing, yes. And most important of all to feed grain. The public isn't aware of this yet. Feed grain is one of the most important side products of oil refining.

These shortages are going to hit our country and our province within the next 90 days in a horrendous way, so that as shortages develop prices are going to soar tremendously.

Rubber is one field with which I am fairly familiar. As the artificial rubber disappears, the small amount of natural rubber is going to be bid for and the price of tires is going to double or triple in this country. Anti-freeze is going to be unobtainable. False eyes are going to be unobtainable. Lenses to go into glases are going to be difficult to get.

All of these shortages are going to put people out of work and are going to cause high prices. It's most important that we, as a province, and we as legislators—and more important the government as the government, and the Premier as the Premier – recognize these problems. Because if they pour honey on it, as the Premier of this province is doing, and say: "Don't worry, we're going to be fine" it's going to hit us hard in March or April, and the result is going to be that there's going to be no preparation on the part of government to deal with it.

Mr. Haggerty: No planning whatsoever.

Mr. Shulman: There is no planning, and this is frightening. It frightens me as a citizen. It frightens me to see the Premier of the province saying "Don't worry, everything's going to be okay." Because everything is not going to be okay; we are in for big trouble, and unless we begin preparing for it now we're all going to pay the price.

Today I want to talk about chiropractors and chiropractic and the money the prov-

ince is spending on it, but before I come to that I'd like to say a word about a few personalites in the House.

Yesterday in his windup, the Minister of Education (Mr. Wells) made a point which I felt very closely. He said he takes great care not to talk about personalities.

I've been one of the offenders over the years. I have talked about personalities, and perhaps I've been overly unkind on a number of occasions. The problem, basically, is that when we see a minister bring forth a bad policy, the human error we fall into is to tie the minister to the policy. We think if he's bringing forth a bad policy he's a bad man. Now that doesn't follow. It doesn't follow, but it's an error we all make. I am probably worse than most, and over the years I have said things here which, looking back, I wish I hadn't said.

And to the ministers opposite, particularly the Minister of Education and the Minister of Revenue (Mr. Grossman), I think perhaps this is the time for me to apologize for the things I have said earlier, in reference to them as individuals, because I was wrong and I—

Mr. Gilbertson: He is not a bad man.

Mr. Shulman: Pardon?

Mr. Lewis: He didn't apologize to the member for Algoma.

Mr. Gilbertson: He is not a bad man.

Mr. Shulman: I am sorry about those things. I objected to the things they did; I'm objecting very strenuously to the things the Minister of Education has done. But he's quite right, we should try and avoid the trap which I have fallen into.

I want to say a word about the member for Ottawa—what is it?

Mr. Gilbertson: Centre.

Mr. Shulman: Centre, thank you. I am quite intrigued by the hon. member for Ottawa Centre (Mr. Cassidy). He's a comer.

Mr. J. E. Stokes (Thunder Bay): Does the member mean Ottawa East?

Mr. Shulman: East? Is he East? Where is he from? Ottawa—well, they're both comers actually.

But I think the hon. member for Ottawa East is going to do very well in federal Liberal politics, which is the place to do well in Liberal politics.

Mr. Handleman: That's right!

Mr. Shulman: I know he missed the nomination, but he'll get another chance. The provincial field is not the place to try and make your mark politically, unfortunately, because of circumstances beyond all of our control.

But I think the member is a comer. I am most intrigued by the way in which he completely ruined the government and his own party in the last few days. The way he led them down the garden path and the way he kept needling at the Premier, and he kept needling at the Minister of Education—

Mr. C. E. McIlveen (Oshawa): This could be the kiss of death to the member for Ottawa East.

Mr. Shulman: Finally they fell into his trap — planned or otherwise, I am not sure which it was — and suddenly they were in deep trouble. Unfortunately, he sort of dragged his colleagues along with him and the member himself was in almost as deep trouble. But I'm impressed by his technique, whether it's thought out or not, and I thought I should give him a compliment. I'm not sure whether it's a compliment or not.

I'd like to say a word about a much-maligned individual in this House, the Minister of Health (Mr. Potter), who is a friend of mine. I want to say a few nice things about him because there are some things happening in the province of which we here are not aware, unfortunately.

I've spent the last few weekends travelling about the province, going to various mental institutions, and the change that has taken place in those institutions in the last few years is unbelievable. I wish more members from all sides of the House could get out and see them.

Last Sunday, Mr. Speaker, the hon. member for Lakeshore and I went to St. Thomas. We'd been to St. Thomas five years ago, to the St. Thomas Psychiatric Hospital, and you wouldn't believe it, Mr. Speaker. As we walked into that hospital, first, the physical appearance was incredibly different. It's bright; there's lighting in the corridors. The dirt is gone; the walls have been cleaned and everything has been painted. But the major difference is on the wards.

The last time I went to St. Thomas the wards were locked. The retarded sat in chairs blinking in front of the one television set; they would sit in a circle around the tele-

vision set. Others would lie in their beds. They couldn't leave the ward except when there was staff to take them out, which was perhaps once a week or once every two weeks because there just wasn't enough staff.

I couldn't believe my eyes when I walked into the wards in St. Thomas last Sunday. The doors are not locked; people are bustling back and forth, those same retarded—I went to each one in turn; I said: "When were you last out?" And he said: "This morning," or "Last night. I am going out for a walk now." The staff has been tripled; there is all sorts of staff.

The attitude is different. There wasn't anybody sitting in dumb resignation. There wasn't anybody lying on the beds. The same retarded are being brought into the community; they are being made to feel they are human beings again. This has been done largely by the present Minister of Health. I know he is a lousy politician. I know he gets up here day after day and makes a fool of himself here because he is a good man and he is a good doctor. He means well, but he doesn't know how to handle this forum.

Mr. McIlveen: The member had better turn around and tell his own colleagues that.

Mr. Shulman: I am telling everybody this and I have no hesitation in paying tribute to the work he is doing.

Mr. McIlveen: He had better tell his leader that, too. Read his comments in Hansard on the minister.

Mr. Shulman: All right. He has made a lot of mistakes because he is a lousy politician—and I say this again—but he is doing a lot of good work out where it counts—in the hospitals run by this province. I wanted to say that on his behalf.

I feel it's a shame he is not a smarter politician, because there are a lot of smart politicians who sit on all sides of this House who haven't done nearly as much good work as he has done in the field which I am familiar with, which is sick people.

I agree he has made a lot of mistakes politically. He has handled the denturists as badly as anyone could possibly have done. He has no technique; he has no knowledge of political realities. I wanted to make these comments about him because he is trying his best in an impossible portfolio.

I don't think anybody could manage that portfolio and receive the approval of all, but he is doing better than anyone has ever done before. If we look at his predecessors, with some horror, going back all the way to Mackinnon Phillips, this was a portfolio that was completely ignored. It's an easy portfolio to manage if one doesn't do anything there. Let the people moulder; don't make any changes. He has jumped in and made a lot of changes and got into deep trouble, but he is doing some good things and I wanted to say that.

Mr. McIlveen: The member had better tell his leader that, too.

Mr. Shulman: I have told everybody that.

What I really want to speak about was one particular aspect of the Ministry of Health, and that is that some millions of dollars are being spent on the chiropractors. On a number of occasions I have criticized physicians in this House and outside the House. As members know, there were ripoffs of OHIP by a number of physicians, which is being corrected. But the one field no one has talked about is chiropractic, and for very good reason.

First of all, they are far more adept than the doctors politically. They have their annual dinner and wish to have us all there and wine us and dine us and propagandize us. They have a most potent lobby.

Mr. Haggerty: That's fellowship.

Mr. Shulman: Pardon?

Mr. Haggerty: Fellowship.

Mr. Shulman: All right, fellowship. They have a very potent lobby.

Like all doctors, I have always had my doubts about chiropractic, but I felt the same about them as I do about denturists—I wouldn't go to one myself but if somebody else wants to go, that's their privilege. I wouldn't send any of my patients to a chiropractor; I wouldn't send any of my relatives to a chiropractor. But I believe in freedom and if somebody wishes to go, that is their privilege. There is one thing that cannot be questioned.

Mr. F. A. Burr (Sandwich-Riverside): Thank you very much.

Mr. Shulman: There are certain persons who cannot be cured by doctors who are cured by chiropractors.

Mr. Burr: Right!

Mr. Shulman: I'll have more to say about that shortly. I do not agree with the theory on which chiropractic works but that is irrelevant. The theory, of course, is that disease—some disease or all disease; it

depends which chiropractor one talks to—is caused by pressure on a nerve coming out of the spine. When the spinal cord is disaligned or one develops what they call a subluxation—in other words one bone is not in line with another—the nerve gets pressed and the organ that nerve runs to gets sick. If it's a nerve going to the liver, one gets liver disease; if it's a nerve going to the arm one gets pains down one's arm. This is their theory.

However, regardless of the merits of the theory, there is no question whatsoever that —and I have hundreds of letters in my office to testify to it—there are many people who have gone to doctors, a series of doctors, received a series of treatments, and have not been helped; or at least they felt they weren't helped. They then went to a chiropractor who manipulated their spine, massaged their back and they felt great. They kept going to that chiropractor. All such letters start off:

> Dr. Shulman:
>
> I went to 38 doctors who couldn't help me. Then I found this wonderful chiropractor three years ago and I've been going to him every week for the last three years, and I feel like a million dollars.

That's fine. If they help people, well and good. However, what I am upset about is that in certain areas they are not helping people, they are hurting people.

This is a relatively new phenomena. Where we come into it is that we are paying for it; because since late 1970, chiropractic has come under OHIP and we are now paying out some millions of dollars every year to the chiropractors for doing all sorts of horrendous things—which I will tell you about shortly, Mr. Speaker.

As I said earlier, I've had a sort of mild unease about chiropractic for some years. But I've never spoken about it because, other than a mild unease, I've never had anything to really upset me terribly. I felt that along with naturopaths, faith healers, Christian Scientists, everyone is entitled to his own opinion. And if they wish to carry on, and there were people who wanted to go to them, well and good.

However, some three months ago a doctor in Tillsonburg got in touch with me and told me about a most horrendous case that had taken place down there. And this case involved an 11-year old boy who was suffering from cystic fibrosis. Cystic fibrosis is a horrible, horrendous disease with a very high mortality rate. Most people who get it die, and they die very young. The only hope of having them live in comfort for any years whatsoever is continued medical care and supervision. This lad's mother had been taking the boy to his physician and receiving the proper treatments for some year-and-a-half.

There is no cure for cystic fibrosis. You must keep receiving treatment. Unfortunately, this is difficult for a parent to accept; that there is no cure for a bad condition.

The mother, thinking she was helping her boy, took him to a chiropractor in Tillsonburg, who took an x-ray of the spine. The first thing a chiropractor does is to take an x-ray of the spine. He told the mother that there was a "subluxation of the second cervical vertebra"; and that if he could manipulate this boy's spine at regular intervals he implied the condition could be cured.

Well we're all looking for miracles; and in cases like that no one can be blamed. The mother succumbed. She discontinued the medical treatments and began taking the young boy for regular chiropractic manipulations.

The doctor in Tillsonburg was very upset about this and he contacted me and said: "Is there anything you can do?" I wrote the Board of Directors of Chiropractic: I have the letter here. I wrote them back in the spring and I said:

> I'm very upset about this situation. Would you investigate and take steps to see that this practice is discontinued. Also, I do not believe that anatomically it is possible to get a subluxation of the second cervical vertebra. Would you mind if I saw the x-rays?

Well, the Board of Chiropractic wrote me back and said that they were commencing inquiries about it and they would let me know. Finally, after many weeks, I received a letter from them, from the Board of Directors of Chiropractors signed by James Ellison, who is their secretary-treasurer: I'll quote the letter.

I am sorry, this is a copy of the letter which he sent to a doctor in Tillsonburg, and he sent a copy to me. The name of the doctor is McDermid.

I am not going to mention the boy's name because there is no use causing them difficulties in Tillsonburg.

> Dear Dr. McDermid:
>
> Re: James H.
>
> We have received statements from Mrs. Jean H and J. R. Douglas, doctor of chiropractic, concerning your inquiry.

> It is apparent from these statements that the discontinuation of the drug Cotazym. [And I interrupt to say this is the drug that the boy had to take to stay alive and well] was a decision made by Mrs. H and was not influenced by any advice received from the chiropractor.

I interrupt the letter again to say factually this letter is exactly correct. He didn't say stop taking the drug; he implied that by taking the manipulative treatment, the condition would be cured. So the mother naturally thought that if he was going to be cured why would she give him this drug? So the mother made the decision to stop it. That is quite true; but criminally true. I continue:

> The chiropractic treatments received by Jimmy were to correct a subluxation of the second cervical vertabra and were not as specific treatment for cystic fibrosis. The advice that it would take approximately one year—

And I interrupt the letter again. The chiropractor said she would have to be prepared to "bring Jimmy here every week for a year to correct the condition." I go back to the letter:

> The advice that it would take approximately one year to correct the spinal subluxation should not be interpreted as relevant to the condition for which he is receiving his drugs. We share your concern that Jimmy H receives full medical treatment as programmed by his medical advisors, but we also feel that the treatment given by J. R. Douglas, DC, will correct the spinal subluxation and complement his medical care.
>
> Trusting this will satisfy your interest in this case, I am
>
> Yours very truly,
> James Ellison

Well, this obviously wasn't satisfactory to me. So I wrote them back and I said: "All right, you say this lad has a subluxation of the second cervical vertabra. Do you mind if I see that x-ray, because I don't think there is such a condition; if there is, I sure would like to see it on the x-ray."

They wrote me back: "If you wish to see the x-ray you should contact Dr. Douglas directly"—Dr. Douglas being the chiropractor. So I wrote Dr. Douglas and I said: "May I see the x-rays of Jimmy H so that I can see this cervical subluxation of the second cervical vertebra?"; and he wrote me back on April 5 and said "no". To quote him exactly:

> Dear Dr. Shulman.
>
> After discussing your letter with Mrs. H, she requested that the x-rays remain in my custody.
>
> Yours sincerely,
> James R. Douglas, DC

Mr. Roy: Did the member get an authorization from the parents?

Mr. Shulman: No, the parents were convinced.

Mr. Roy: The parents should authorize it.

Mr. Shulman: Even if the parents were to authorize, there is no way to force—we have gone through this. Medically, to answer the interjection, unfortunately x-rays are the property of the physician or the chiropractor who takes them. Even if the patient wishes those x-rays, legally he has no right to them; because often we have had patients trying to get x-rays from doctors and the doctors have refused.

Mr. D. J. Wiseman (Lanark): But they have paid for them.

Mr. Shulman: When someone has paid for an x-ray, you haven't paid for the plate. What you have paid for is the reading, the interpretation. The courts have decided that the x-rays, in many cases, belong to the hospital or the chiropractor or the physician who has taken them. There is no way to force them to give it up.

Mr. Roy: Under court procedures they could be forced to.

Mr. Shulman: Well, certainly in my experience it has not been possible.

In any case, we didn't get the x-rays. I don't think there is such a thing as a second cervical vertebra subluxation; I don't think there is such a thing as a subluxation, for that matter.

The thing that was upsetting about this case was there was a lad whose death may very well have resulted as a result of bad advice. I became quite upset about this and began making inquiries which led to a number of other unfortunate cases.

The next thing that happened was that I received a complaint, quite fortuitously, quite by coincidence, that a Dr. Hoyte out here in the Danforth was giving acupuncture treatments.

Well during the summer I had a group of students who worked for me, so I sent one of my students out to say that he hadn't been

feeling quite up to par and what did Dr. Hoyte think of giving him acupuncture treatments. And Dr. Hoyte thought that would be a great idea and proceeded to give him an acupuncture treatment. The doctor gave him one until the poor student got very frightened and came back and said: "Send somebody else, because I don't think this guy knows which end is up."

He didn't give acupuncture in the way doctors think of acupuncture. He said he was giving acupuncture, but what he was actually doing was putting some sort of electrical machine on the man's hand, which was apparently the pressure points for—I am not an expert on acupuncture, but the pressure points for acupuncture, according to Dr. Hoyte, when you are not feeling particularly up to par, are somewhere in the hands. So he was putting this electrical machine on the hand and giving it a little jolt; and then he repeated this for about 10 or 15 minutes and said: "You will feel better; come back in a week and we'll give you your next jolt."

Well, I got a little upset about that so I wrote a letter to the Board of Directors of Chiropractic and I got an answer, from Mr. Ellison again. Let's see if I have that here.

Interjection by an hon. member.

Mr. Shulman: I've been very good recently.

I don't have the letter right at the top. What Dr. Ellison said was acupuncture is okay by chiropractors as long as they don't use needles.

I thought that one over. That one sounded a little funny, because I always thought acupuncture involved needles.

So I wrote him again and we had a long series of letters and I finally found out that when chiropractors talk about acupuncture they don't mean what doctors or Chinese or the general public mean when they talk about acupuncture. Acupuncture as generally accepted by the public is the sticking of needles into the human body at various places because it has been found empirically, over many hundreds of years in China, this produces anaesthesia or relief from certain medical conditions. I don't know how it works but it does work.

The basis of acupuncture is sticking the needle into that particular portion of the anatomy. The chiropractors have a different idea. They sent out a letter to all the chiropractors all across the province saying: "You may not use needles in acupuncture. However, you may give acupuncture." In order to give acupuncture without needles, they give it electrically.

That means you take the same pressure point, but because you can't put a needle in you get some sort of an electrical machine, and they have a great variety of electrical machines, and you give a jolt to that nerve through the machine and that is acupuncture. Well of course it isn't acupuncture and the public is being deluded.

Interjection by an hon. member.

Mr. Shulman: It's just fraud, because one thing for sure, people walking into Dr. Hoyte's office on the Danforth are being told they are being given acupuncture. I sent someone there and we know it first-hand, in addition to the complaints that I received in the first place. They are not getting acupuncture.

My first complaint was chiropractors are doing something they are not qualified for, giving acupuncture. But that isn't the complaint at all. They are not giving acupuncture, they are commiting fraud.

There are bad doctors, there are bad chiropractors, there are bad plumbers. I wouldn't have been so upset if this was one chiropractor who was cutting a corner. But what upset me was when I got in touch with the Board of Directors of Chiropractics and said: "This guy is a crook. Do something about it," they wrote back saying he's doing nothing wrong whatsoever—just as they had done with Dr. Douglas in Tillsonburg treating cystic fibrosis.

At that point, Mr. Speaker, I became a little more than suspicious about chiropractic.

Mr. Burr: The member is wrong.

Mr. Shulman: I'm being heckled by the NDP.

Mr. Burr: I'm sorry, but I put that on the record. If the member had been here and listened to me he would know that acupuncture doesn't necessarily include needles.

Mr. Shulman: Acupuncture?

Mr. Burr: Not necessarily, according to the Chinese.

Mr. Shulman: Okay, I stand corrected by my friend from Sandwich-Riverside and I am sure he will correct me further as we go along.

Mr. Lawlor: He is also against fluoride. So be careful.

Mr. Shulman: Well, we don't always agree on health matters, but he has a better training on that than I.

Mr. Stokes: Let the member for Sandwich-Riverside hang in there.

Mr. Breithaupt: Is the member for Sandwich-Riverside going to put him under anaesthesia?

Mr. Burr: I may.

Mr. Shulman: To come back to the chiropractors. At that point, Mr. Speaker, rightly or wrongly, I then began a deeper investigation into the problem of chiropractic, because I was upset not so much by this chiropractor, as I said, and not so much by the chiropractor in Tillsonburg but by the Board of Directors of Chiropractic.

What happened then—and this again by strange coincidence—was a woman walked into my office and handed me this chart and said; "I just went to see Dr. Leo Rosenberg out on Islington Ave. and he gave me this chart and he wants me to take treatments because I've got these problems."

I wish I could blow up this chart so members could see it, because it's a most interesting chart. The heading of it is "Chart of Effects of Spinal Misalignments." Then it goes on: "Every area of the body is controlled by nerves. The normal function of these nerves can be disturbed by misalignments of the vertebrae causing the diseased conditions shown below." Then there is a list of diseases that can be cured by chiropractic. It's a very, very lengthy list. Let me just pick a few out: crossed eyes, earaches, nervous breakdowns, quinsy—that's an abcess in the throat—jaundice, diabetes, ulcers, nephritis, hernias, appendicitis and haemorrhoids.

Mr. Lawlor: And squint eye.

Mr. Breithaupt: Piles for the poor, haemorrhoids for the rich.

Mr. Shulman: I don't expect anyone in the House is going to defend that.

I didn't know whether to be amused, annoyed or appalled by this rather horrendous chart. And I tell you I picked only a few. There is a list here of literally hundreds of diseases, there must be over 100 diseases on here—heart conditions, chest pains, bronchitis, pleurisy, pneumonia, congestion, influenza —I bet you didn't know influenza was caused by a misalignment of the spine, Mr. Speaker.

Mr. McIlveen: Let him go and he will put us out of business.

Mr. Shulman: I read down all this and I got a little upset. I didn't get mad; I don't get mad any more, I'm in a new calm period. Since I turned 48 and I saw all my friends popping off, I thought, I can't get mad any more.

Mr. Roy: Morty is 48.

Mr. Shulman: And anyway Arthur Wishart is gone and Rowntree is gone and there is nothing to get mad about any more these days.

So I wrote a letter to the Board of Directors of Chiropractic again. I said, "Look, I think this guy is a little nutty. Maybe you had better do something about it."

They took action immediately, I want you to know, Mr. Speaker. They didn't waste a day in taking action. They wrote me back immediately and said they had been in touch with Dr. Rosenberg and they had told him that he was to stop distributing this brochure at once.

I thought that was very nice, and I said to them: "He obviously believes this, don't you think he should have some re-education? What difference does it make whether he distributes the brochure or whether he tells people verbally that this is what is wrong?"

They said; "Oh, we are not going to do that. He doesn't need re-education."

I said, "What if he tells them verbally?"

They replied—this was the quote from Dr. Ellison: "Don't you believe in free speech?"

I thought that one over for a bit, because I do believe in free speech, obviously. However, is it free speech to allow someone who goes under the name of a doctor, a doctor of chiropractic, to propound this dangerous nonsense to the public? Because if people really believe that—where are we here?—"asthma, difficult breathing, pain in lower arms and hands, chest pains, bronchitis, pneumonia—can be cured by manipulation of the spine, some of those people are not going to go to doctors. Some of those people who have pneumonia are not going to receive penicillin and antibiotics; they are instead going to go to Dr. Leo Rosenberg and have their back manipulated and they are going to die.

I wrote back again to the Board of Directors of Chiropractic and I said; "That isn't good enough. It isn't good enough to tell him, 'Don't write it down any more'. You've got to bring people in who have such foolish beliefs and re-educate them. Stop them saying it, as well as writing it." But they didn't agree and they wouldn't go along.

To make things worse—or to aggravate me further, perhaps I should put it that way—I was still of two minds about the whole chiropractic situation, and I wrote a very mild letter to one of the Toronto papers, the Sun. I want to quote one paragraph from it so I will not be misunderstood, and I quote:

> There are chiropractors in Toronto for whom I have the greatest respect, who recognize the proven abilities of their profession and who restrict themselves to treatment of local back conditions and other diseases which are directly related to the spine.

I want to stress that again, so that no one will think I am just saying "wipe out the chiropractors," because I'm not. Let me say again, they cure things that doctors don't.

Mr. E. P. Morningstar (Welland): The member for Ontario (Mr. Dymond) is interested in this, too.

Mr. Shulman: I hope he is paying attention. He doesn't look as though he is with us, unfortunately. However, that's another subject.

Mr. Lawlor: That's all right, he plays possum.

Interjection by an hon. member.

An hon. member: How's his spine these days?

Mr. Shulman: However, in this letter—the member for Ontario may need a chiropractic manipulation, perhaps that is the situation. It looks like he has a subluxation of the second cervical vertebra at the moment. He is going to get one if he stays in that position for too long.

Mr. Lawlor: He switches around every once in a while.

Mr. Shulman: As a result of this letter which I had written in the Sun, in which I mentioned some of the conditions which this Dr. Rosenberg—I didn't mention his name—had said were caused by spinal misalignment, the top official, a Mr. Stolarski—or Dr. Stolarski, if you wish to call him that—wrote a letter to the Sun in which he said—I guess I should quote him.

Mr. Lawlor: He is a friend of mine.

Mr. Shulman: Is he? He's a friend of the member for Lakeshore. Anyway, he accused me of "sensationalism, gross ignorance, false statements, false implications." He's probably quite right in most of that.

Mr. J. P. MacBeth (York West): Pretty good diagnosis. That's the best fair comment I've heard.

Mr. Shulman: I thought that was fair comment. I have no objection to any of those things at all. However, he went on to say something that I did object to. He wrote that to bolster my case I had "dragged out literature that was neither printed nor authorized for use anywhere in Canada." And that was the literature, of course, in which Dr. Rosenberg had said things such as that spinal misalignment causes bronchitis, tonsilitis, asthma, pleurisy and so forth.

The intriguing thing about this—what Stolarski didn't know when he wrote that horrible letter—was that this literature was not from the United States, it was distributed right here in west Toronto on Islington Ave. It was distributed by Dr. Leo K. Rosenberg, and the intriguing thing about that is, who is Dr. Leo K. Rosenberg? He is the president of the Ontario Chiropractic Association. Wow!

If the president of the Ontario Chiropractic Association believes this, how can we expect any reform within the profession? How can we hope to get any common sense if their leaders think that pneumonia is caused by a misalignment of the spine and are distributing this? How can we hope for the board of directors to discipline someone like that?

Well, I wrote to the Board of Directors of Chiropractic again. I will read the letter.

> Dear Mr. Ellison:
>
> I am enclosing a copy of the material handed out by Mr. Rosenberg. I understand from our conversation that you are going to request him not to distribute this to his patients in the future.
>
> In my opinion, however, there is a far more serious consideration. If Mr. Rosenberg really believes the nonsense which he is distributing, he is a serious hazard to anyone who might walk into his office.

Mr. E. Sargent (Grey-Bruce): Why doesn't the member put on his jacket?

Mr. Shulman: Thank you.

Mr. Sargent: Very uncouth.

Mr. Shulman: I am always uncouth. I try to get along with the member for Grey-Bruce as best I can. Back to the letter:

> Surely, switching dissemination of his misinformation from the written form to the verbal is hardlly going to solve the problem.

I would appreciate receiving your comments.

Again, the Board of Directors of Chiropractic took the same position. "There is no re-education necessary. There is no disciplinary action necessary." They could hardly do any different. It was their own leader.

Well, next item. In south London—have we got the member here from London? No. Neither of them is here, I am sorry. In south London, in the spring, a beautiful brochure was distributed door to door by the South London Chiropractic Centre. It praises chiropractic and it says: "Come and visit us and we will make you better." Perhaps that's fair. Doctors don't allow advertising but—

Mr. Roy: The member for High Park doesn't have to.

Mr. Shulman: —different professions have different standards. The line that intrigues me in here is this one:

> The Ontario Hospital Insurance Plan, OHIP, provides coverage for this vital health service, thus assuring that everyone can benefit from the rewards of modern chiropractic techniques.

He could have added especially for us, the chiropractors, but he didn't put that in. He goes on here:

> Vertebral disrelationship may give rise to abnormal functioning of the nervous system, and in many instances outright pain, and may take the form of headaches, neck, arm, leg, back pains, reflex radiation of pain and so forth.

I thought that was pretty strange advertising, so again I wrote the Board of Directors of Chiropractic. They wrote back and said they had told him not to do it any more. The reason he had done it was that he hadn't known any better because he had just come from Uruguay.

That's fine. When doctors open up an office, we try to give them some education before they go out, but perhaps it's different with chiropractors.

Exhibit No. 83. Here is the chiropractic colouring book. I must say this caused me some mild dismay also. The head on it is: "Bobby and Sue Visit the Doctor of Chiropractic." It's a colouring story book written and illustrated by Mary Ann Hutchinson and it was given out at least by one chiropractor in this city.

The material in it is quite fascinating because they are suggesting that children should have regular desubluxations of their vertebrae, which is probably not too harmful. It shows a picture of a chiropractor manipulating a child's spine. I don't suppose that does too much harm.

It suggests that regular x-rays are advisable and that does harm to children and that's sort of scary. It says here, for example:

> The x-ray machine is a special camera which can see through the skin and photograph what is inside the body. The doctor of chiropractic is especially interested in learning what is happening to your spinal column.

He is indeed. The first thing every chiropractor does is take an x-ray of someone's spine. Doctors feel a little bit different about x-rays. We are very nervous about x-rays. We only use them when we have to because x-rays are dangerous. They cause cancer in excess; they cause leukemia in mild excess and this is scary. This is frightening.

In addition there is other interesting material here. Apparently the chiropractors now feel that some of the other tools they can use are stethoscopes, thermometers, otoscopes, percussion hammers, eye charts, tongue depressors, blood pressure gauges and tuning-forks. These are the things, it says in here, one should expect a chiropractor to use. For goodness sake, what for?

If they really believed the theory they shouldn't be giving any drugs. They say they don't, but we'll come to that in a minute. They most certainly shouldn't be using all of these various instruments. The answer is very simple. They are no longer content just to take the x-ray and manipulate the spine because the public is beginning to expect more from whoever they attend for their health needs. So the chiropractors are attempting to fill the needs by expanding the profession.

The next exhibit. This was distributed in North Bay. Who is the hon. member from North Bay?

Mr. Roy: The member for Nipissing (Mr. R. S. Smith).

Mr. Shulman: This was handed out a few months ago.

Mr. Sargent: Are these guys cutting into the member's business?

Mr. Shulman: Mr. Speaker, when I began I said when I came in here I didn't come to speak to the backbenchers, and now you can see why. There is no hope of getting through to most of them. Those in the cabinet are the only people who can do something about this and that is why we can't prepare these

speeches, unfortunately, for the boondockers, from Owen Sound, from other areas in the same area—I won't be provocative; I was going to be provocative looking across there, but this is so important, because it involves the health of the people of this province.

Mr. Sargent: Where was the member on the teacher vote?

Mr. Shulman: I just spoke about that at some length. I don't want to repeat it. I was here for the debate. I didn't vote.

This is of grave importance; not from a financial point of view although there are millions of dollars being wasted this way, but from a health point of view. This piece of literature, which was distributed in North Bay, sums it all up so well. Let me read this. This is handed out to the patients—or was until I complained—of this chiropractor. His name is W. M. Leatherdale and he is on 393 Fisher St., North Bay. Let me quote this one. This is a dilly.

> While under the health-restoring procedure of chiropractic adjustments you may experience uncomfortable or unpleasant symptoms of varying degrees of intensity. These symptoms are the result of the corrective manipulative movements employed in releasing spinal nerve pressures that are causing your body aches, pains and disease. These symptoms, although unpleasant, are unavoidable in that percentage of patients who experience them.
>
> This is known in chiropractic as a reaction and may express itself in the form of single or multiple symptoms such as headaches, dizziness, upset stomach, diarrhoea, extreme soreness of muscles, tenderness of the spinal joints, stiffness of joints, excessive urination or even a slight rise in body temperature. These symptoms may be alone or in various combinations. However, pain and soreness are the most common symptoms.
>
> The reaction more commonly occurs between the third and 10th treatment but it may vary according to the individual and condition. When, and if, it appears it may last from one to several days but most commonly two or three. Reaction, in reality, is a healthful change taking place in your body.

It goes on at some length but there is no need to read more.

Do members realize what he has done? He is telling people that between the third and 10th week of going to see him and getting these manipulations they may develop symptoms such as, let's take one, excessive urination and not to worry about it. Not to worry about it; it is just the reaction to the chiropractic treatment. Would that it were true.

Excessive urination is a sign of diabetes and it means that someone who may be developing diabetes will get these symptoms, will not worry and may very well go into diabetic coma without getting medical help. That is criminal. It is just plain criminal.

I wrote the Board of Directors of Chiropractic. Again I got prompt results. The first time they wrote me back they asked: "Can you inform us on what date that brochure was handed out from Dr. Leatherdale?" I wrote them back. They wrote back that they had instructed Dr. Leatherdale not to give out that brochure any more.

So again I wrote the Board of Directors of Chiropractic and said it was all very well, but I couldn't go running around the province to every chiropractor; they have got so many of them all over the place. Who is policing the store? What is the use of telling that chiropractor not to hand the brochure out—

Mr. Sargent: The member is the boss.

Mr. Shulman: —if he is not re-educated to know that this is wrong? What if a patient comes in and says: "Doctor, I have developed all these horrible symptoms since taking your treatment" and he says: "Oh, don't worry"—because obviously he believes this? What is that going to do to the health of his patients —or the people in North Bay? Call that man in. Take his licence away until he learns what the situation is—re-examine. And again they refused.

However, they did take some other action. They did take action.

I have here the Journal of the Canadian Chiropractic Association for August 1973, page 4. And this is after some considerable correspondence between me and the Board of Directors of Chiropractic. They sent this out to every chiropractor in the province. And I quote this dilly:

> Some practitioners have literature in their offices which they have not read thoroughly themselves. It was purchased because of the attractive art work on the cover. We urge you to read all such material carefully. If you could not defend the contents in a court of law, then burn it.

And this is how they are handling the problem. If you can't defend it in a court of law, burn it.

Now can you imagine a responsible profession taking this position? Obviously, if this kind of misinformation is sufficiently widespread that they have to put it in their journal, there is something seriously wrong in the practice of chiropractic; and some serious re-education is necessary for that number of chiropractors who are doing this. And again let me say that it is not all of them—not all of them. But there is obviously a sizable minority.

Well, the Board of Directors of Chiropractic are unwilling or unable to do the disciplining that is necessary. And when a profession fails to do the disciplining—I use the word profession because they are a profession—then it becomes necessary for government to do that disciplining, particularly when government is paying the bills. It now is not just a matter of health, and perhaps some deluded people going to chiropractors—we are paying for this. We are paying for this literature and this advice. And when we are paying the shot, surely we have the right to expect that the people—

Mr. Sargent: The member made his $70,000 last year. He got his money, didn't he?

Mr. Shulman: Half that; just half. Unfortunately. I would it were $70,000; but it wasn't, unfortunately.

But it isn't a matter of money. I don't care if they made $100,000 every year. What I do care about is that they give value for their money.

And they are making a lot of money. I have an article here from the Windsor Star, April 16, 1973, and the heading is: "Chiropractors Making Up To $98,000 A Year From OHIP"—plus what they get outside. So they are making a lot of money out of this. That doesn't bother me too much. That is the problem of the government and the Treasurer and the Minister of Revenue. What does bother me is that for all this money they are doing damage—and something must be done about it.

Well, this summer a Dr. Lariche did a study on chiropractic, which he released; but unfortunately it has had practically no publicity. He is an MB and a CHB. He finishes off his study by saying:

> It is the responsibility of concerned and informed leaders in both government and science to protect less sophisticated citizens against ineffective or dangerous health practices. At the point in history when the right of all members of society to quality medical care has finally been recognized, when medicine is beginning to scrutinize itself for optimum quality of care through both peer and lay review, it is anachronistic to permit an academically unrecognized, scientifically unproven and medically uncontrolled method of health care to infringe on that right and impair that optimum quality of care.

Now, he goes on with considerable material to back this up; but basically he is not saying "Let's put the chiropractors out of business." The conclusion he comes to is this, and let me read his conclusion because it really sums everything up:

> In the public interest it is imperative that the Canadian Medical Association and the Canadian Chiropractic Association conduct a research project into the validity of chiropractic. To oversee this there should be a committee of citizens set up by the federal government.
>
> The research project should be conducted on scientific lines, with laboratory results which can be substantiated and not on the opinions of patients or their attendants.
>
> For example, a case of diabetes diagnosed medically will be placed in a hospital. The patient will now be seen by a chiropractor who will carry out the necessary x-rays and, if a subluxation is found, he will carry out the necessary adjustments and, under controlled conditions, the patient's progress will be followed in a laboratory.
>
> A patient with a subluxation will be x-rayed and the subluxation demonstrated. Adjustments will be made and the patient re-x-rayed and the correction demonstrated.
>
> If chiropractic is convinced of its validity, it should welcome this opportunity. If medicine is in error, then it will welcome the occasion to rectify its erroneous attitude toward chiropractic.

Here is a way to settle the dispute once and for all; but of course it was rejected by the chiropractors for a good reason.

I'll tell members what the good reason is. The good reason is there is some serious doubt about the validity of the theory. Regardless of whether it works or not, the theory is probably erroneous. I say probably.

We come back again to what I said in the beginning. There are patients who cannot be helped by doctors who are helped by chiropractic. The chiropractors lay on the hands, they manipulate the spine and the patient feels better. The chiropractors believe it is because a nerve is out of place. I personally believe it is the laying on of hands and some patients are helped by touching them. It is

true and I'm sure the member for Oshawa will agree with me. Doctors don't have enough time; they rush patients in and out.

Mr. McIlveen: Keep away from them.

Mr. Shulman: Yes, they say, "There's nothing wrong with you, just nerves. Take these pills, you'll be better." That's not what some people need. They need time; they need attention; they need touching. They need manipulation, and if they're helped that way that's fine! Neither I nor anyone else should criticize this.

However, the theory of chiropractic has finally had some scientific study. I have two studies here which are both very recent and the results of which are rather appalling. The first one is by Edmund Kreelin. It was published in the Scientific American of Oct. 23, 1973, I believe it is.

What they did was they took a number of dead people and cut out their spines—took out the whole thing; spines, bones, discs, nerves and all—and proceeded to try to subluxate at any level of the cervical cord by bending it double if necessary. The Scientific American found, and I'll just read the last sentence:

> This experimental study demonstrates conclusively that the subluxation of a vertabra as defined by chiropractic, the exertion of pressure on a spinal nerve which by interfering with the planned expression of innate intelligence produces pathology, does not occur. Cannot occur.

All right. I suppose it doesn't matter how it works if it works. However, there's a more serious study here. This is from the carpenters' union and they did something which perhaps was unfair. This was done in Washington. Sorry, it was not the carpenters' union; it was the letter carriers' union.

They became suspicious about chiropractic because they were getting all sorts of bills. They have a Medicare system, similar to ours except it's run privately, which covered, until then, all chiropractic treatments as well as medical treatments. The chiropractors had to send in the x-rays along with their bills.

The letter carriers, being a little suspicious about this situation—and perhaps it was a nasty trick—took all the x-rays the chiropractors had sent in with the subluxations marked on them and invited all the chiropractors in—but they invited people to read each other's x-rays. A nasty trick, I must admit. I read the conclusion or a portion of it:

> At our invitations, representatives of both the American Chiropractic Association and the International Chiropractic Association met in our office with one of the most reputable radiologists in the area, whom we engaged on a temporary consultant basis. Our doctor presented 20 sets of x-rays that had been submitted by chiropractors. Each film was purported to show a subluxation. In several instances, four to six subluxations had been diagnosed in a single x-ray. One after another—

Mr. J. E. Bullbrook (Sarnia): I came in late but I had to ask: What is subluxation?

Mr. Shulman: That's what we have been trying to figure out. I interrupt for the member for Sarnia to explain that a subluxation, as termed by chiropractors, is two bones in the spine getting out of place sufficiently so that pressure is placed on a nerve leading to some part of the body which, in turn, produces disease. This is the theory of chiropractors.

Mr. Bullbrook: Okay.

Mr. Shulman: I'll continue the quote:

> One after another each film was placed in the view box. The chiropractic representatives, including a radiologist of their own choice, were invited to point out the subluxations. Not a single one was identified, nor did the chiropractic representatives offer a solitary comment. Effective Jan. 1, our insurance plan was amended to delete a chiropractor in the plan definition of coverage.

I'd like to try a test like that here in Ontario. Let's see if they can read their own x-rays. I admit I have done something privately—it's a nasty trick to do—sending someone to a chiropractor's office and getting me subluxations. But that is not enough proof. One person doesn't prove anything.

Let's do it on a scientific basis. Let OHIP, which is paying for all this, insist on the x-rays being sent in for one month. Let the chiropractors show the subluxations and then let's bring in the leaders of their profession and see if they can see those subluxations. I don't think there is a subluxation; I don't think it exists. I don't think anyone can see it, except in the bills.

I said chiropractic was expanding. It is expanding in a rather dangerous way. Inasmuch as medicine has expanded into all sorts of fields, chiropractic has now expanded into incredible fields.

I went up to the school of chiropractic—we have a school of chiropractic right here in Toronto—and I got their little brochure, their

calendar that they distribute. I bought some of the books that they send out.

First of all, in their policy statement which I have here, they talk about—listen to this paragraph on x-ray:

> It is the policy of the chiropractic profession that x-ray for diagnostic purposes relative to the spine and related structures is an intrinsic and necessary part of chiropractic care. The necessity of x-ray procedures, as in all other health discipline, is dependent upon the nature and severity of the patient's condition according to the judgement of the chiropractor. Undergraduate and post-graduate training in x-ray procedures and protection of both practitioner and patient is most extensive, especially in the case of children and women of child-bearing age.

These are groups where doctors don't use x-rays at all. Not only are they using x-rays, they are expanding in the most incredible directions.

Here is an article from the Journal of Clinical Chiropractic for Spring, 1971, telling chiropractors how to use mammography. Let me tell you what mammography is. This is a specialized x-ray technique which takes x-rays only of the breast tissue of females to find out if they have a cancer of the breast. Why in the world should chiropractors be doing mammography? If they find a cancer of the breast, are they then going to follow what is written in here and manipulate the spine? That's scary!

They are doing something else now. They are getting specialties in chiropractic, x-rays specialties. Let me tell members about the x-rays they are teaching them to give. They have now post-graduate x-ray classes. Let me see what they call it.

Mr. Morningstar: That should not be allowed.

Mr. Shulman: Thank you very much to the member for Welland. He said it shouldn't be allowed. He's right, it shouldn't be allowed.

It is called the Canadian Council of Chiropractic Roentgenology. This is dated Feb. 18, 1972, and is on the letterhead of Donald C. Sutherland, DC, executive secretary, and director of the Chiropractic Association of Ontario.

> The Canadian Council of Chiropractic Roentgenology [that means x-ray] has been formally established as a council of the Canadian Chiropractic Association and it has been active in organizing a certification programme in chiropractic roentgenology in conjunction with the Canadian Memorial Chiropractic College. [For the sake of Hansard roentgenology is spelled r-o-e-n-t-g-e-n-o-l-o-g-y] The course of study has been approved by the college and four candidates who have already passed the examinations will be certified on June 3 of this year. It is anticipated that an additional four may reach certification status prior to that date.

Well, all very well. You're going to teach them how to take x-rays, but what are you teaching them to x-ray?

Let me just read this—they're not teaching them how to do x-rays of the spine better than the other chiropractors, they're teaching them to do, and I quote: "Diagnostic film of all skeletal structures, lung and heart films, gall bladder and digestive tract films."

Wow! For what purpose? Are they going to now start taking x-rays of the gall bladder? This is right here in Toronto. This is the Canadian Memorial Chiropractic College showing its facilities and showing what is being taught now to these specialists. And it goes on: "These same services are available to private chiropractors." You don't even have to be a specialist to learn how to do these strange x-rays, Mr. Speaker.

Here I go on to the rest of the calendar. They're not satisfied with x-rays. They're not satisfied with the manipulation of the spine. Now they're teaching, and I quote: "Dermatology, gynaecology, pediatrics, eye, ear, nose and throat." And they're not just teaching what it's about so you will be able to refer people to a physician if necessary.

Let me read this under obstetrics: "The role of chiropractic in enhancing pregnancy, in reduction of its complications and in bringing about a more natural birth and healthier puerperium [spelt p-u-e-r-p-e-r-i-u-m], is discussed."

Under dermatology they refer to "benign and malignant tumours, considerable didactic teaching is devoted to the diagnosis, the different—" I presume they mean "differential" but they say different—diagnosis and the treatment of these diseases as they apply to the doctor of chiropractic."

Are they treating those diseases? If they are there's something very wrong with the school of chiropractic.

I was sufficiently intrigued by all this, Mr. Speaker, that I went up to their supply college and I bought their book; the book that they use for teaching. And this makes everything up to now appear like nothing.

The book is called: "The Neurodynamics of the Vertebral Subluxation." This book was sold to me just two months ago. It's in current use in the school. It's written by an A. E. Homewood. It was printed in 1968. It says in here: "A. E. Homewood, BTA, DC, ND, FICC, President, Canadian Memorial Chiropractic College." Well, he was in 1968. He is now the dean emeritus.

Let me read you what they're teaching these students who take up chiropractic. They handle all fields.

First, under dentistry, let me read you the chapter under dentistry:

> All oral surgery cases could benefit from the post-operative care of a doctor of chiropractic because such alveolar trauma, [that means injury to the gums] is more than likely to produce cervical fixations which may not undergo spontaneous correction and remain as sources of further discomfort and more serious problems.

So they're saying if you're having your teeth out you'd better go and see a chiropractor—you'll have to get the spine back in place after the dentist has sort of buggered it up.

All well and good; that doesn't do any harm and I suppose nobody can object to that.

But look at page 206. Let me read you page 206 because this is the kicker. Let me just quote, word for word:

> There are those emergency states in which the doctor adjusts [and when he says doctor, he means chiropractic doctor] according to the severe symptom, rather than in accordance with the usual studied plan of the cause of vertebral disrelation.

Don't worry what that means, it doesn't matter, because it goes on:

> For instance, when the doctor of chiropractic arrives at the bedside of a patient who has experienced some form of cardiac attack and displays a very low blood pressure, and a feeble contraction of the cardiac muscle, the doctor does not wait to reason through the many and varied signs that point to the offending vertebrae, but immediately delivers a stimulant in the form of upper thoracic adjustment. Such a stimulation is helpful in increasing the strength of cardiac contraction. The doctor may deliver stimulatory adjustive moves in the area of the ninth thoracic to stimulate the adrenal gland to further assist in the emergency response.

What he's doing is killing the patient. They're telling people who go out and find a man's had a coronary to adjust his back. It's criminal and that's their textbook.

On the next page he goes on, and I quote:

> Experience has established the fact that the administration of chiropractic adjusting is efficacious in handling both the acute and chronic cases of coronary occlusion, but no button has been located either theoretically or clinically that may be pushed in every patient to make the correction. The doctor of chiropractic must assess each patient and be guided by his knowledge and experience.

How would you like to have a coronary on the street and have a chiropractor walk by and say, "Step aside, everybody, I'm a doctor. I will fix him"?

Mr. Breithaupt: Better than Christian Scientist.

Mr. Shulman: No, it could be worse. The member for Kitchener says it would be better than a Christian Scientist. The Christian Scientist will pray over you; at least he won't adjust your spine.

This book is a horror story. You can open it almost at will at any chapter and read things that are almost unbelievable.

Mr. J. M. Turner (Peterborough): Literally!

Mr. Shulman: Let me pick a few examples. I quote from page 217:

> While the influence of the two divisions of the autonomic nervous system upon the functions of the uterus is not clear to the authorities, clinical experience in chiropractic offices indicates that the pre-menstrual colic and menstrual cramps can most frequently be relieved by adjusting the fifth lumbar vertabra only.

Okay, what he is saying is that if a woman comes in with menstrual pain, you manipulate her spine. Well, it isn't going to do any great harm. But look at this. He goes on:

> When the patient presents a problem of excessive menstrual flow, the adjusting of second lumbar usually brings the condition under control.

So he is telling people that when a woman comes in to their office and is bleeding heavily, what they do is adjust her back. Now if perchance that bleeding is coming from a cancer; if perchance that bleeding is coming from an ectopic pregnancy; if perchance that bleeding is coming from one of half a dozen conditions which can lead to serious health complications or death, while that patient has her back adjusted and is told to

come back in a week, valuable time, her health and/or life may go with it.

This not only is being sold and distributed here, it is being used as a textbook to teach chiropractic students. Page 209, here is another killer. I quote again:

> It was briefly discussed in the chapter dealing with the general effects of the vertebral fixation that the presence of an optimum quantity of glucose in the bloodstream is essential for the normal activity of the central nervous system. Here it may be appreciated that a subluxation in this thoracic region, fifth to the ninth, may overactivate the release of glucose from the liver with a hyperglycinemia developing and even a demonstrable glycosuria. Hyperglycinemia decreases the irritability of the central nervous system and thereby develops an abnormal response to stimuli.

Hon. A. Grossman (Minister of Revenue): Of course, it only makes sense.

Mr. McIlveen: I'm afraid the Minister of Revenue doesn't know the lingo.

Mr. Shulman: Of course. What they are saying is that if you find someone has too much sugar in the urine, which is glycosuria, or doesn't have enough sugar in the blood, it is because there is something wrong with his spine and you manipulate it. What it means, of course, is that they have diabetes, and diabetes is a killer. Every day a person goes for manipulative treatment to a chiropractor and doesn't receive the insulin and the proper diet is taking time off his life.

How can they teach that here today in 1973 in this city and be paid by us to do it?

Mr. Morningstar: Terrible, terrible, terrible.

Mr. Shulman: Well, that isn't all. In their statement of position—let me find that so I won't misquote them—I come back to their policy statement of June, 1972, and I quote: "Chiropractors do not dispense drugs." Now that makes good sense. Let me read what it says underneath.

> Chiropractors do not dispense or prescribe drugs, nor do they encourage patients to abandon prescribed drug therapy. Chiropractors may counsel patients on nutrition and recommend nutritional supplements if consistent with existing legislation. Infractions should be reported directly to the appropriate provincial chiropractic licensing board for investigation.

That sounds like good sense but now let us look at the Chiropractic Journal. They say one thing in their policy statement which they issue to the public, but what are they actually doing? I have a number of pages which I've taken from the Journal, and let me read some of the ads. This is the full page cover ad from the Canadian Chiropractic Journal distributed at the annual meeting of the Ontario Chiropractic Association last year. And here is the full ad; let me read it.

It's by Therapeutic Foods Co., distributed by Robert and Son Ltd. And they are recommending the sale of adremamin. I'm not sure what that is, but anyway it says here what it's for:

> Indication for possible needs: Low blood pressure, extreme fatigue syndrome, dehydration, arthritis, chronic illness.

And it goes on.

> The patient who needs adremamin for the most part is the listless and lackadaisical person who is always tired and has to keep pushing himself to get things done. When he is pushed he becomes exhausted and irritable.
>
> Administration: Three to nine tablets per day for such a time as recommended by the doctor. Contrary indications: none. How supplied: 100 tablets, $8.50.

Mr. Timbrell: It sounds like a perfect diagnosis of the member's friend from Sudbury East.

Mr. Shulman: He had better visit a chiropractor who will make an adjustment.

Mr. E. W. Martel (Sudbury East): I'm going to go tonight.

Mr. Timbrell: I've got a fellow in my riding. I'll take the member there right now.

Mr. Martel: All right. Let's go.

Mr. Shulman: Let me tell you what's in adremamin, because maybe they've got something.

> This is a combination product which includes natural vitamin C with all of its associated natural occurring factors from alfalfa, mushroom, green buckwheat leaf, bone marrow. It also has hypertrophic B factors, as found in yeast. It has sprouted grain, calf brain, and the specific determinate factors of beef adrenal glands.

And then it says in brackets: (sypertrophic extracts of beef adrenals).

What they are doing is taking adrenal glands from animals, chopping them up with a mixture of vitamins, selling it to the chiropractors in huge quantities for treatment of this long list of diseases.

This was their cover ad. I've got a whole series of ads. There are various drugs from various companies with professional order foms. One of them here has about 30 different drugs on it, beginning simply as multiple vitamins and ending up with "Fo-Ti-Tieng Powder," and it says underneath that: "This is Korean Fo-Ti-Tieng Powder: 1½ grams per teaspoon" and that is a sure cure for "Fo-Ti-Tieng disease."

All very well. Here is another ad for Minibal, Hemoplex, Nutrabal, Trancol and Maggal. Maggal—"this formula is most specific in the treatment of all stages of calcium and magnesium deficiencies."

Here is another ad. This is the cover ad from the first quarter, 1973, issue of the Journal of the Canadian Memorial Chiropractic Association. It's an ad for VM60-C-600 and it's for "back pains disc lesions, and specialized nutritional requirements."

So, in their policy statement they say "We don't use drugs," but in their journal they advertise them, at their convention they distribute them, and in their offices they have them. And go up to their supply house on Bayview Ave. and you'll see thousands of them, thousands of them, Mr. Speaker. How do they justify that?

Well, what's to be done? Last year, there were some legislative proposals made for the Health Disciplines Act, and among those proposals as brought forth here by the Minister of Health, he said, "It is not the intention that chiropractors treat non-mechanical disorders of the spine, nor diseases in organs and systems anatomically remote from the spine."

That seemed like common sense to me and it looks like it is long overdue. How did the Chiropractic Association and the chiropractors respond to this? They prepared a brief in December of last year which they presented to the Ontario Ministry of Health. I would have thought they would have welcomed this suggestion because this would have eliminated so much of the quackery and so many of the quacks from the profession. But they rejected it completely and I quote them:

> The emphasized words "immediately" and "mechanical" are restrictive additions and so seriously affect the substantive meaning of the original task force on chiropractic recommendations as to render them totally insupportable by the profession of chiropractic. Further, public interest will be adversely affected and established chiropractic services of long tradition would be seriously altered and restricted.

They don't want to be restricted to the spine. They want to be able to do mammography, they want to be able to sell FOT-38 for various diseases—for the fellow who is lackadaisical and just can't get moving. That is irresponsible.

Let me read something else. I've got here the Journal of the Canadian Chiropractic Association for October, 1972. "Each child should have a careful examination, at least on two occasions, between the ages of 12 and 24 months by a chiropractor."

This is their policy from their journal and that's what we are going to pay for. Twelve and 24 months looking for subluxations of the vertebrae with x-rays? Can members imagine what that can do to the growth of those children? To the health of those children? How many extra cancers are we going to get? How many leukemias? I went to the minister some months ago when all this material began to accumulate and I said, "I'm appalled by the material I have here and I'm really worried."

I said something had to be done. Would he mind looking at the OHIP figures and telling me what chiropractors are doing? What are they billing for? He said, "All right, I'll get a list prepared for you." He prepared a list of the conditions for which chiropractors have billed OHIP this year and you are not going to believe this list, Mr. Speaker—I don't believe the Speaker when I look at him. He will not believe this list. These are bills that were paid by OHIP for conditions treated by chiropractors this year in this province. I begin: Rectal abscess—now let me stop right there.

Interjection by an hon. member.

Mr. Shulman: We are talking about rectal abscesses. If a patient with a rectal abscess goes to a chiropractor and receives manipulations, I don't suppose the manipulations would do him any great harm but it sure might do him some very bad damage because a rectal abscess is a serious condition which ultimately bursts. Fortunately, it usually bursts externally and the pus discharges. Occasionally it bursts internally into the pelvic cavity and if it does that patient may very well die. Yet some chiropractor in this province this year is manipulating some poor fool for a rectal abscess and we are paying for it.

Let me go on with the list: Acne; anal irritation; arthritis; asthma; bed wetting; Berger's disease.

Mr. Martel: What's that?

Mr. Shulman: Berger's disease is a disease where the arteries in the legs have narrowed down because of increasing age. Not enough blood is coming through and they are helping that by manipulating the back when there are drugs which can be given to control the condition. There is an operation which can cure the condition.

Bronchitis; cataracts; circulation (I'm not sure what that means); congested liver (I'm not sure what that means); conjunctivitis, (that's an infection in the eye); colitis (that's an irritation of the bowel); constipation (I suppose if one manipulated hard enough that may solve the problem, hopefully on the spot); Coryza (that's a big word for colds); coughs; cystitis, an infection in the bladder; cephalic syndrome (that means there's something wrong with one's head, and I presume this applies to a number of the patients who have gone there); dermatitis, skin rash; diarrhoea —well, I had better not go into that one; dysmenorrhea, painful periods; dyspnea, which means shortage of breath; eczema; enuresis, bed wetting; eye strain; fever from liver upset; fever from toxicity; flatulence—lots of gas; flu; foot injury; gall-bladder; gastritis; hay fever; headache, frontal; headache, occipital (that's the back); headache, torticollis; haemorrhoids; indigestion; inflammation of the hip; influenza; injury to right thumb; insomnia; low blood pressure, Meniere's syndrome; menopause; mononucleosis multiple sclerosis; myocardial insufficiencies; nausea; nervous strain; neurosthenia (to a seven-month-old child!); oedema; otitis; paryngitis; pleurisy; psoriasis; post-cardiovascular accident; rash; tonsilitis; tremor; tympanitis; urinary tract infection; vaginitis; and, finally varicose veins—manipulate the spine to cure the varicose veins!

Well, Mr. Speaker, I have made my point; I don't want to belabour it. These people are dangerous. Many chiropractors are not in this field—and perhaps the majority are behaving responsibly—but a sizable minority are doing horrible things in this province, and they have to be stopped. We certainly have to stop paying them, because people's health is suffering.

Primarily—let me stress this—primarily people's health is suffering not because of the manipulation but because of failure to receive proper treatment, but people are being seriously damaged by manipulation.

Let me give a specific example, which by the strangest coincidence came to my office just yesterday: A Mrs. Sophie C—I won't use her name—who lives at 1079 Dovercourt Rd., went to a chiropractor—I will give his name—Dr. Shrubb at 725 Coxwell Ave. She had 11 different treatments, beginning some three months ago.

She went originally because she had a little pain in her back, but she finally came to my office because over the course of those treatments, she began developing a leg drop—she couldn't walk, her neck became twisted into a torticollis so she couldn't straighten it.

She came in yesterday, helped by a cane, dragging her leg. I said, "What happened?" "Well," she said, "I was all right until I took all these treatments but gradually, with the treatments, I have got worse. Every time I see Dr. Shrubb, he says I need another alignment of my spine."

I sent her down to get an x-ray to find out what was going on. She had a ruptured disc, and it looked like it had been there a long time. And all these weeks she's been going to this man who didn't know what he was doing and who has been gradually destroying her spine so it's now at the point where that woman will probably never walk properly again.

This is the exception. I don't suggest that this is happening every day, but it is happening because there is no proper supervision of the profession and of men like Shrubb who don't know what's going on and don't have enough sense to send people like this to a doctor.

The most important thing is that for the one Mrs. C, there are dozens or perhaps hundreds of people who are not receiving proper medical attention because they are getting this type of attention.

My suggestion is this—this is what this whole speech is about—the government has to act, because we can't do anything. The Minister of Health must move, and I think he is now prepared to move—and I hope he is going to be able to get the backing of his backbenchers and his cabinet—because he recognizes the danger. He has seen all of this material, and I am convinced he wants to do something.

This profession has to be disciplined. It has to be properly run, and it is not being done at the present time by the profession itself. So we must set up a board to control chiropractics, and there must be a board of five, I would suggest, with two nominated by the chiropractic profession, two by the government and a chairman chosen by all four, because this type of thing cannot continue. Legislation must be brought in by OHIP to limit the things that the government is paying for. It shouldn't be paying a chiropractor to manipulate the spine of someone with a

rectal abscess. It should limit payments strictly to mechanical problems involving the doctor.

And finally, we have to have some control of the scope of chiropractic. I direct the government to the New York law which spells out in full—I can't read it all because my voice is giving out—and it is too lengthy in any case. But, just briefly:

> A licence to practise as a chiropractor shall not permit the holder thereof to use x-rays except as follows: only for the purpose of chiropractic analysis; such use of x-rays shall be confined to persons over the age of 18 and the area of such x-ray exposure shall not extend below the level of the top of the first lumbar vertebra.
>
> The scope of chiropractic practice is not intended to and does not include the taking of blood for laboratory analysis, for the performance of laboratory examination for diagnostic purposes.
>
> A licence to practise chiropractics shall not permit the holder to treat [and there is a long list of conditions including] appendicitis, diabetes, neoplasms, fractures . . .

These are things they are treating in Ontario. Now, Mr. Speaker, this is going to be lost in the shuffle. I know in terms of Bill 274, no one is going to pay too much attention to this. But in the overall picture, what I have said today is more important than Bill 274, and perhaps anything else I have ever said in here, because it involves the health of the people of this province.

I have not hesitated to speak up against my own profession when they have done things that are wrong. I've hesitated a long time before making this speech. I've thought about it and thought about it, because it is difficult for someone in another profession to criticize in a way that may be misinterpreted. I have no need to enlarge my practice. Doctors have all the patients they wish. This is not a matter of professional jealousy. It is a public health problem.

I want to finish the way I began by saying many chiropractors do good things for a lot of people. They make people feel better, which is the purpose of health care. Many of them, including their leaders, have gone far beyond the bounds. Government must act now, both financially and more importantly for health reasons. Thank you very much.

Interjections by hon. members.

Mr. Morningstar: Well Mr. Deputy opposition Speaker, I would be pleased to take part in this budget debate.

Great things have happened in Welland all year and are continuing to happen. For instance, on Dec. 1, sod was turned for a 75-bed nursing home, physically linked to the Welland County General Hospital and to be administered by the hospital board. I wish the member for Oshawa would listen.

Interjections by hon. members.

Mr. Morningstar: It has been to the credit of the hospital board that they campaigned persistently for two years to obtain information to proceed with this $1.2 million project to be funded without subsidy. A memorable event for Welland this year took place on Saturday, July 14, when the official opening of 8.3 miles of relocated channel of the Welland ship canal took place. We will enjoy noteworthy gains from this $200-million project. First and foremost, of course, is the elimination of the bridge lifts through the heart of the city on the old canal, which many members are acquainted with, I think.

Mr. Timbrell: Yes, a great piece of work.

Mr. Morningstar: This change and the provision of two tunnels under the new channel in Welland, largely the responsibility of the Ministry of Transportation and Communications, ends a long nightmare of land-based traffic blockages that people of Welland have had to endure for many years.

Interjections by hon. members.

Mr. Morningstar: A fine dock was constructed for Welland on the new channel. This will be of increasing importance as regional acknowledgement of Welland as a most suitable centre for major industrial development brings the expected response. A substantial area in proximity to the new channel has been reserved for industrial development. The generous policy of this government in subsidization assistance for municipal transit services enabled the city of Welland to inaugurate a bus system covering all the areas of the municipality. A fleet of 10 modern vehicles is proudly operating this vital public function and it was our great pleasure to have the Minister of Transportation and Communications participate in a ceremonial inauguration of this service.

Mr. Timbrell: A fine fellow.

Mr. Morningstar: The most spectacular industrial development in Welland for many years, the erection of a $20 million spiralweld pipe mill by the Steel Co. of Canada, has

been completed and trial runs will start shortly.

Mr. Martel: Clap again, boys.

Mr. Morningstar: It is good government. The magnitude of this project can be appreciated by the fact that the plant structure is the largest in the Niagara Peninsula, covering 7.5 acres of land.

Mr. R. F. Nixon: We are going to cut his majority to 6,000 next time.

Mr. Morningstar: It will not only enable Stelco to provide pipeline tubes up to 60 in. in diameter—

Mr. I. Deans (Wentworth): Sixty inches?

Mr. R. F. Nixon: How big?

Mr. Morningstar: —but because of what the energy emergency has taught us becomes a highly important contribution to Canada's self sufficiency.

Mr. McIlveen: We'll get some oil down to Montreal. Put that oil pipeline right through to Montreal.

Mr. R. F. Nixon: When they talk about the Tory steamroller, they are talking about him.

Mr. Morningstar: Expansion of other industries in Welland to the value of several millions of dollars has occurred. General Signal Appliance Co. Ltd., well known for Regina and Venus product lines, is gradually moving to a brand new plant.

Mr. Roy: That is the best thing members opposite have had to cheer about for the last week.

Mr. Morningstar: General bouyancy in medium-sized and smaller industries has had a heartening effect on the employment picture and on the area of economy.

Mr. R. F. Nixon: How do the member's teachers like it?

Mr. Morningstar: One reverse has been the decision of Union Carbide to phase out ferro-alloy operations in Welland. It is to be hoped that busy operations elsewhere will offset the job loss this brings. The company's carbon electrode process offers a better picture, with the third enlargement to the division in three years requiring expenditures of over $1 million.

A new shopping mall and expansion of two large shopping plazas are moving from the planning stage.

Mr. R. F. Nixon: Waiting for Queen's Park approval.

Mr. Morningstar: Subdivision and apartment building continue at a brisk pace. Last year saw the opening of a $2.3 million vocation-oriented Westbrook Secondary School with an enrolment of 529. Good government! Niagara College of Applied Arts and Technology, which opened in 1967 with enrolment of 468, registered 1,720 students at the start of this fall term, which shows the growth of this great Welland riding. Additions to Notre Dame and Welland High and Vocational Schools have been budgeted for over $1 million.

Mr. Lewis: How do the teachers feel?

Mr. Morningstar: Welland Hydro-Electric system, celebrating its 60th anniversary this year, registered an increase in load from 46,000 to 50,000 kilowatts in the last year. Good government!

Mr. Carruthers: A good member too!

Mr. Morningstar: One development in 1973, which I will cherish as a career highlight, has been the decision of the Ministry of Natural Resources to acquire land in the Effingham-Short Hills area for creation of a provincial park.

Mr. R. F. Nixon: Morningstar Park, that is what we are going to call it.

Mr. Breithaupt: Ellis Island.

Mr. Morningstar: My interest in this natural beauty spot as an area to be preserved to enhance the quality of life goes back more than 20 years to my county council days.

Mr. Deans: No applause?

Mr. Morningstar: Southwest of St. Catharines and northwest of Welland, it is an area of pastoral beauty, with picturesque hills and rippling streams. Our people are all with me in regarding it as one of the loveliest unspoiled areas of countryside in the Dominion of Canada.

Mr. Carruthers: There is nothing like that in Scarborough West.

Mr. Morningstar: Visitors who can spare the time to visit Short Hills when they are in the Niagara region are always welcome. Only minutes from this lovely enchanted area are the monuments to commerce and engineering, the relocated canal serving world shipping, and imposing tunnels in Welland bearing service traffic below the waterway. Wel-

land, the rose city of Ontario is truly a vibrant community, a most interesting place to visit and a great place in which to live.

Interjections by hon. members.

Mr. Carruthers: The morning star is rising.

Mr. Morningstar: Mr. Deputy Speaker of the opposition, I am pleased to be part of a government that was among the first of the provinces to promote special measures for senior citizens, such as encouraging municipalities to provide free or reduced public transportation fares; free entry for senior citizens to our provincial parks, Ontario Place, the Science Centre and the Royal Ontario Museum. Premium payments for hospital and medical insurance have been abolished for all residents of Ontario 65 years and over.

This government was the first province to proclaim a senior citizens' week.

Interjections by hon. members.

Mr. Speaker: Order. As the pro tem Speaker of this House, I want it to be well known by the members and our guests that while it is well known that I disagree with about three-quarters of the rules of this House and consider them completely absurd, there is a silly rule about guests not being able to applaud. I would ask you to desist. Thank you.

Mr. Morningstar: Thank you very much, Mr. Speaker.

Mr. R. F. Nixon: If they resist, we'll put them in the tower!

Mr. Morningstar: We were the first province to proclaim a senior citizens' week. This was not done to patronize our senior citizens; it is designed to educate our young while honouring our senior citizens. Mr. Deputy opposition Speaker—

Mr. Carruthers: Pro tem.

Mr. Morningstar: —the government of Ontario continues to build and create more senior citizens' facilities, and our homes for the aged are the best in the world.

Last year our government introduced a new tax credit system to supplement grants to our needy pensioners. We were paying out some $20 million in the form of $50 and $100 grants to pensioners in receipt of the federal guaranteed income supplement. Under new legislation that figure will double to $40 million in 1973.

This year these senior citizens will be able to avail themselves of the new pension tax payment of $100, and the new sales tax credit for an additional $16 for a single pensioner and $30 for a married couple. Added to the property tax credits, these people will receive an early spring payment of up to $250.

In addition, Ontario has mailed a special pensioner's assistance grant of $50 as a Christmas gift for our senior citizens.

Mr. E. R. Good (Waterloo North): Has the member got his yet?

Interjections by hon. members.

An hon. member: They think they are getting it.

Mr. Morningstar: Mr. Speaker, before closing I would like to say a few words about the Workmen's Compensation Board. I know it has its share of growing pains, but nevertheless I feel it has served us well in the past, and I don't think there is another member in the House who deals with them more than I do, Morningstar from Welland.

Since the Workmen's Compensation Board was formed about 60 years ago it has undergone immense growth. Today the board has a current annual assessment income of nearly $70 million from approximately 140,000 employers, and close to 400,000 claims are processed annually.

Mr. Breithaupt: What does the member think of that?

Mr. Good: What do they pay out? That is more important.

Mr. Morningstar: It operates a 500-bed hospital and rehabilitation centre at Downsview, a vocational rehabilitation service, and has responsibility for a multi-million-dollar employer-sponsored safety education programme. Investments of funds to meet future financial commitments amount to more than $400 million, Mr. Speaker.

Mr. Carruthers: Think of that.

Mr. Morningstar: During the 1950s and 1960s the Workmen's Compensation Board grew at such a tremendous pace that it was necessary recently for the Premier of the government of Ontario, the province of opportunity, to make sweeping changes in its operations to help it meet the present-day needs of modern working men and women.

Mr. Haggerty: Good thing we have an opposition over here.

Mr. Martel: Especially those on his left.

Mr. Morningstar: Counsellors now ensure that information is collected promptly—

Interjections by hon. members.

Mr. Morningstar: —and answer all inquiries raised by claimants.

Mr. Speaker, and gentlemen, what this great government is doing is an indication—the reason—why we are on this side of the House and the opposition members are on the other side.

Interjections by hon. members.

Mr. Morningstar: Mr. Speaker, I am honoured and pleased to have represented the great Welland riding at Queen's Park since 1951. Thank you very much.

Mr. Foulds: That's a tough act to follow.

Interjections by hon. members.

Mr. Deans: A little like Abbott and Costello; or no, Laurel and Hardy.

Mr. Deans: Laurel and Hardy; that's who it is.

Mr. Lewis: An impossible act to follow and I concede that to the member for Welland. We thought that when he squeaked through in the 1967 campaign by something like 300 or 400 votes, that he would be done under in 1971, and he squeaked through again, I think by about 6,000, as I recall. Is that right? Yes.

Hon. Mr. Grossman: That hurts a little bit, eh?

Mr. Lewis: Well, it's a temporary hurt; it's the kind of thing one convalesces from and then goes back at again. I presume the member for Welland will be running again, so we'll at least know our opposition.

Mr. M. Cassidy (Ottawa Centre): They should make him Premier with that support.

Mr. Lewis: Mr. Speaker, I am very much of two minds. The Premier has just announced that there will be no statement on the teacher situation tonight at all, which means that the very serious negotiations which have been going on all day have either been suspended, have simply not worked, or that the cabinet, having met and considered the specific position put to it, has decided to extract one further commitment from groups involved before the decision can be arrived at, before the statement can be made.

I hadn't intended to be back at 8 but I'd sure like to know what is happening so I am going to try to get back at 8. I am going to put some things on the record that I wanted to until 6, and maybe it's time to talk about some of the negotiations that have taken place. But I am not going to do that now. I just may say that like other members of the House I really regret that even at this point in time we have not been able to resolve it. But perhaps that's imminent; perhaps it will happen tomorrow, if not tonight.

Mr. Speaker, I wanted to put some material on the record, perhaps not as interesting to all the members of the House as to some, relating to three or four matters in the Province of Ontario. I must admit I don't have the steam or the passion or the feeling for a normal budget windup. Much has been drained from members of the opposition—I guess from all members of the House—over the last—

Hon. Mr. Grossman: Maybe we could provoke the member.

Mr. Lewis: I don't think the government members will. I don't think I can be provoked tonight, but by all means try.

Mr. Turner: We will sit and listen attentively.

Mr. Lewis: I'm determined to be lassitudinous.

Interjection by an hon. member.

Mr. Lewis: I want to deal with one problem in particular, Mr. Speaker, a problem for which there is a cabinet minister in the House, I'm very glad to say, and that's the area of agriculture. I want to deal with it specifically in the context of—

Mr. Cassidy: The Minister of Agriculture and Food (Mr. Stewart) really blinked at that one.

Mr. Lewis: —land going out of production in the Province of Ontario—what is happening in the rural community generally.

I have found, in my travels through the province over the last few months, that one of the things which is of greatest single concern is the extraordinary agricultural crisis which is enveloping the rural parts of Ontario. I have found the very real sense that the government is not prepared to respond under any circumstances, and it's frankly sanguine at the pattern of agricultural land going out of production everywhere around us.

But I have, I think, some interesting documentation from specific areas which I

will put on the record, but first, in terms of a general survey, let me read the following figures, including and extrapolated from the 1971 census figures and more recent Ontario information.

The number of census farms in the Province of Ontario in 1966 was 109,887 and in 1973 it was 88,656, a drop in census farms in this province of 21,000 in the period of eight years, a drop of 19 per cent.

The number of non-resident farms, those farms that exist that are run by non-residents —it doesn't mean non-Canadians but by people who do not, in fact, engage directly in farming and live there as farmers—was 4,385 in 1966, rising to 6,246 in 1973, for an increase of 1,800-and-some in the eight-year period and a jump of 42 per cent.

The total area of farmland in Ontario—the number of acres—was 17,826,000 in 1966, dropping to 15,217,000 in 1973, for a drop in farmland in eight years of 2.6 million acres, or almost 15 per cent. The improved farmland—particularly good farmland—in 1966 was 12 million acres. In 1973 it was 10.4 million acres, for a drop between 1966 and 1973 of 1,595,000 acres, or 13.3 per cent.

The land under crops in Ontario in 1966 was 8,358,000. It dropped to 7,654,000 in 1973, for a total change of over 700,000 acres and a drop of 8.4 per cent.

The improved pasture, in acres, was 2,935,000 in 1966, dropping to just over 2 million in 1973, for a total change of some 800,000-plus acres, in that period of time, for a drop of 28 per cent.

In other words, Mr. Speaker, in all of the areas that we would look upon as reasonable indices to judge the strength and viability of the agricultural sector of the economy, there is a serious and dramatic decline and, at the moment, there is not a single thing on the horizon which suggests that it might be altered.

Mr. Speaker, what this means in fairly dramatic terms is that the acreage that has been lost in improved farmland, which is very much the best farmland in the province, works out to some 624.5 acres a day or 26 acres per hour lost to agricultural production in the Province of Ontario. It seems to me that a ministry and a government which can allow improved farmland, the very best farmland in the province, to go out of production at a rate of 26 acres per hour, is inviting the ultimate desolation of the agricultural sector of this economy.

Mr. Speaker, the figures, of course, don't include the complete loss of agricultural land to production. They don't include hobby farms; they don't include the farms left to go to bush and weed because many of them would still be considered agricultural land or would be so designated. The picture I have painted, compared to the reality, is probably rosy but that in itself is sufficiently dismal to make the point.

Let me talk for a moment about the total farms with sales of $2,500 or more, classified by product types. In 1966 there were 21,159 farms in Ontario dealing with the dairy industry. In 1973, it is down to 16,342 —in fact it may be even less than that—for a decline in absolute numbers of almost 5,000 dairy farms in a period of eight years.

Poultry: 2,179 farms—I am sorry. Cattle, hogs, sheep with sales of $2,500 or more, 28,809 in 1966; 27,855 in 1973, a decline of 952.

Poultry: 2,179 in 1966; 1,805 in 1973 for a decline of 374.

Fruits and vegetables: 3,920 in 1966; 3,830 in 1973, a decline of 90.

Livestock combination: 2,205 in 1966; 381 in 1973, a decline of 1,824 in that category alone.

Field crops combination: 642 in 1966; 537 such farms in 1973, for a drop of 105 farms in that period of time.

Hon. W. A. Stewart (Minister of Agriculture and Food): What about production?

Mr. Lewis: I am going to get to production and related matters as well. I am going to deal with it as a matter of fact—

Mr. W. Newman (Ontario South): It is nice to hear it from a professional.

Mr. Lewis: I don't pretend to be a professional. I have only visited farms. I have obviously not been a farmer but what I have learned from the agricultural community concerns me greatly and before this is over I am going to paint for the members a picture which I think is a nice cross-section of one of the counties in eastern Ontario.

I am going to tell them of a research associate of mine who went from farm to farm in two concession roads in Glengarry county and I am going to tell you what has happened to those farms, farm by farm, over the last three years, so that the extraordinary picture of class 1 and class 2 agricultural land in this province—1, 2 and 3—

going out of production is clear. Then, before it is over, I am going to tell you of a study completed this summer, not yet made public, of Dundas county, called "Vanishing Rural Community." I am going to show you again the pattern of productive agricultural land going out of production. Then I am going to try to provide some overall figures so that there is a sense of where it is all leading.

Let me try to deal with some of the total picture first as I am now trying to deal with it. Mr. Speaker, the age of farm operators in the same period of time has not altered significantly since 1966 and in a sense that is really quite depressing. I guess I can put the percentages on the record and that will suffice.

The number of farmers 25 years of age or under, as a percentage of total farm operators now, is 1.8 per cent. Those between the ages of 25 and 34, 12.5 per cent. Those between the ages of 35 and 44, 23 per cent. Those between the ages of 45 and 54, 28 per cent; between 55 and 59, 12.2 per cent; between 60 and 64, 9.5 per cent; between 65 and 69, 6.7 per cent; 70 years and over 6.2 per cent. This means, Mr. Speaker, that 63 per cent of the farmers in this province now engaged in active farming are over 45 years of age.

That is really quite a commentary on the fragility of that sector of the economy. The inducements for young farmers being so inadequate in terms of bringing them on to the land, the pattern is of older farmers naturally retiring and selling their land, usually to semi-urban encroachments, more and more rarely to further and continued agricultural production. This kind of pattern I think is given dramatic emphasis by the reality that very nearly two-thirds of the farm population are over 45 years of age. I don't imagine there is another sector in the economy where that would be true.

At the same time, Mr. Speaker, the increase in the average value of a farm, which means something in terms of its salability and in terms of the inducement of people to continue farming, has risen quite dramatically. The total value per farm has jumped from $44,447 in 1966 to $84,168 in 1973 for an increase of almost 90 per cent. The value of the land in building has gone from $31,406 in 1966 on the average, to $64,048 in 1973 on the average, or a jump of 103 per cent. The value of machinery and equipment has gone on the average from $6,900 to $10,790, for a jump of 56 per cent; and the value of livestock and poultry from $6,100 to $9,700, a jump of 58 per cent.

Now, obviously with that kind of very, very considerable investment in the farm, the necessity of selling to a high bidder, in the absence of valid land-use planning, is an extremely attractive one to farmers who have given their life to the land and have never received a fair return on that investment. But even more important, Mr. Speaker, it means what most of us in this House know it means, that if you want to start farming in this province, you need a capitalization of something in the vicinity of $100,000. And that kind of money simply isn't available to anyone—or to very few—certainly not under the loan programmes from this government. As a matter of fact, the situation is such that it's a positive incentive to the farmer to sell to middle-class and professional urban dwellers, because where else would you get that kind of money with which to buy land?

Now, Mr. Speaker, that general picture of the farm economy is, I think, an extremely depressing one and the centrepiece, I submit to you, is of agricultural land going out of production. Unless that pattern, that trend is changed, our agricultural economy will be destroyed some time within the next generation. And when we are dealing with matters of food shortages in the world and matters of food prices in the Province of Ontario and Canada generally, there is something drastically wrong with the government that can't reverse the trend.

I was so thunderstruck by the constant repetition of the theme of agricultural land going out of production that after a trip I took to eastern Ontario at the end of September of this year, I guess it was, I asked a research associate of mine to take, virtually at random, a couple of concession roads in Glengarry county and to document the pattern.

Mr. Speaker, there are an enormous range of issues which animate the farm community. I guess in the last three months I have met with farm groups all over the province, some of them belonging to the federation, some of them belonging to the farm union, all of them deploring government policy, all of them emphasizing and re-emphasizing the agricultural land going out of production.

And there is a lot of bitterness in the minds of the farmers about it. They don't understand why that sector of the economy in particular should be singled out for such relentless discrimination on the part of the

government, and why it is that everyone sits back and allows it to happen.

I can remember travelling down concession roads in Glengarry myself. I can remember travelling through parts of eastern Ontario with my colleague, the member for Ottawa Centre, and the amazement at the way in which the farms were obviously going to bush or weeds, or that the transition from dairy farming to cattle farming was clearly under way.

Mr. Speaker, let me give you some general facts about Glengarry county first. In 1966, Glengarry had a total number of farms of 1,441, and by 1973 it had dropped to 1,017, for a drop in farms of 424 in that period of time in one county. The total area of farmland in acres in Glengarry in 1966 was 250,500. In 1973 it had dropped to 198,300 for a drop of 52,000, which I guess is roughly 20 per cent in eight years.

The total area of improved farmland dropped from 165,300 acres in 1966 to 132,300 acres in 1973, a change of 32,000 acres, almost 33,000. The total area under crops was 117,400 acres in 1966 and 91,000 in 1973 for a drop in total acreage of 26,000. So Glengarry, as I think the members will see is true also of Dundas, is a typical place.

Mr. Speaker, the two concession roads which my research associate—a colleague who helps me greatly and frequently, I may say, in preparation of materials for the House, Linda Thomas—travelled were concession road 9 in Lancaster township and concession road 3 in Lochiel township.

The pattern was carefully established. She travelled with others from town to town making inquiries of the farmers who were there or other inhabitants. Then she went back to the registry office, I think it was primarily in Alexandria, to take a look at the changes in title in order to establish wholly and definitively the pattern so that there was very little room for arguments.

I guess maybe I can get into one of the township roads before we adjourn. Dealing first with No. 3 concession road in Lochiel in Glengarry county going from west to east, let me read almost at random and quickly the kinds of things which were occurring:

One hundred acres, sold in 1973 to a golf course; was a dairy farm with 25 to 26 cows. Across the road, 100 acres; the owner, a local feed broker, is a hobby farmer with some sheep. Again across the road, 100 acres, owner now lives in Montreal; bought in 1971; was a dairy farm before; 24 cows. Across the road, 100 acres; local owner now rents land for pasture; was a dairy farm in 1968.

One hundred acres, owner lives in Montreal; bought in 1970; was a dairy farm under previous owner. One hundred acres—all of these acreages are separate farms—owner farmer; land now used for pasture and hay. Sixty-five acres, owner not farming; was originally part of a large dairy farm; 80 cows in the 1960s; owner had to sell because of lack of farm labour. Fifty acres, owner lives in Montreal; land rented for hay.

One hundred acres, owner farmer; small dairy herd which is about to be sold. One hundred acres, owner works out in Alexandria now; the farm used to be a dairy farm. One hundred acres, owner is a retired farmer; it was a dairy farm with 20 to 25 cows then went into beef; land is now totally out of production.

Continuing from west to east: 100-acre farm, the owner farmer now working again in Alexandria; wants to sell; was a dairy farm with some 27 cows. One hundred and fifty acres, the owner farmer has about 80 beef cattle now; it was a dairy farm as recently as 1971 with 40 milk cows. Eighty-five acres, the owner a local teacher; the farm has gone to weeds; was bought in the 1960s; was a dairy farm. One hundred and fifty acres, owner commutes to Montreal regularly; bought in 1971; land not in use; it was a dairy farm with 25 to 30 milk cows. Two hundred acres, owner lives in Montreal; uses farm only in summer and weekends; again bought in the last three years; before that, of course, a dairy farm.

Continuing through this concession road: 25 acres, owner lives in Montreal; bought in 1973; was part of a dairy farm. One hundred acres; owner commutes to Montreal, raises some pigs now; was a dairy farm before. One hundred and fifty acres, owner a farmer who has another 100 acres across the road; used as pasture for part of a dairy herd, but most of the dairy herd is no longer around. Two hundred acres, owner a farmer; a beef herd of about 60 head, the normal pattern of ultimately going out of production, was a dairy farm in the late 1960s. A farm of 100 acres, the owner lives in Montreal, was bought in 1973; was a dairy farm as late as 1969 with 20 to 25 cows.

Mr. J. Riddell (Huron): Is this a random selection?

Mr. Lewis: This is door to door. This is farm to farm.

Mr. Riddell: How did the member pick his concessions, at random?

Mr. Lewis: Well, it was—

Mr. R. F. Nixon: How delighted those fellows are not to be milking cows.

Mr. Lewis: That may be so. It was the choice as representative of a couple of concession roads, based on conversations with National Farmer Union people and with federation people.

There are others: 100 acres; owner is a caretaker in a school in Alexandria and now raises some beef—maybe I can just tuck this in, Mr. Speaker, before 6 o'clock. One hundred acres, owner is a farmer; had eight cows on a dairy farm basis; owner is close to retirement.

Hon. W. G. Davis (Premier): Eight cows?

Mr. Lewis: Yes, that's what it says. To continue: 100 acres, owner farmer; dairy, nine cows adjacent to that, owner ready to retire—I should think so. One hundred acres, owner lives in Montreal; bought in 1973; land no longer in use, two years ago was a dairy farm. Fifty acres, owner lives in Montreal; bought in 1973; land not in use. Fifty acres, owner lives in Montreal; bought in 1973; land out of use this year, was a dairy farm with 18 cows. One hundred acres, owner lives in Montreal; bought in 1971; land now in weeds; was dairy farm, 20 to 25 cows as late as 1971. One hundred acres, owner is a new farmer from Toronto, bought in 1973, a dairy farm with 15 cows.

Does the Premier think it would be indiscreet for me to discuss the negotiations that are under way? Or is it better they continue in silence?

Hon. Mr. Davis: I will only say, Mr. Speaker, if I may answer a question, I am not sure that any purpose would be served by the member for Scarborough West discussing anything because I can't really help him with anything at this moment. I think the very learned dissertation on the agricultural community of the Province of Ontario really is to me quite relevant. I only wish I could listen to all of it, but I assure him I shall read it.

Mr. Lewis: I really don't mind his absence.

Hon. Mr. Davis: The only thing I ask, Mr. Speaker, is if he does analyse Chinguacousy township or Albion and Caledon and the farming community there, I be forewarned because there I do have some greater knowledge.

Mr. Stokes: We don't mind the Premier being absent as long as his time is well spent.

Mr. Lewis: Mr. Speaker, I end this litany by pointing out—

Mr. W. Ferrier (Cochrane South): Even the Minister of Agriculture and Food is upset.

Hon. Mr. Stewart: I am not upset, I am interested. I am listening to every word. I wonder if my hon. friend could give us the classification of the land and the percentage of that classification as it applies to each farm.

Mr. Lewis: The classifications are agricultural land 2 and 3, much of it unimproved. If much of it were improved, it would be top flight agricultural land. All of it, however—obviously if it was for dairy farming—could remain in production and if, in fact, it was improved farmland, it could remain in very high production.

The next concession road I want to deal with is of even better agricultural quality, Mr. Speaker. May I point out that of the 73 farms carefully surveyed, 37 are in the process of either going out of production or are out of production and have changed in ownership in the last three years.

It now being 6 of the clock I have no doubt you would wish to do other with your life.

Mr. Speaker: I'm sure the hon. member has not finished his remarks. He will be recalled when the House reconvenes.

Mr. Lewis: Mr. Speaker, if I am not here at 8 o'clock, because I have some competing factors, I simply apologize to leave things in mid-stream. I wanted the House to know that I intend to try to return, but this is a very, very difficult night for me.

Mr. Speaker: Well, I don't know just how to put it. If the hon. member isn't here and we carry on with this particular order of business I will call the next speaker in. Then if he finishes when the hon. member returns, certainly he will be called to finish his remarks later.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): I don't know about that.

Mr. Speaker: Is something wrong? Well, he can finish his remarks.

Interjection by an hon. member.

Mr. Speaker: I think I am going to rule in view of the fact the hon. member has suggested he wasn't quite finished and it is 6 of the clock, I am going to let him speak again if he wishes to.

It being 6 of the clock I do now leave the chair. We shall resume at 8 o'clock.

It being 6 o'clock, p.m., the House took recess.

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No. 181



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Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

BUDGET DEBATE
(continued)

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I look forward to the return of the leader of the NDP (Mr. Lewis) before we adjourn at 10:30 tonight because his topic, particularly pertaining to farmlands, was of great interest to me, the Minister of Agriculture and Food (Mr. Stewart), I know, and others. As far as I am concerned, sir, when he does return, if it is your ruling, I would have no objection whatsoever to his resuming his remarks where he left off. Not only were they valuable, I also feel that while we are pressing toward some sort of adjournment so that we can be with our families for Christmas, the leader of the NDP has family responsibilities of a similar nature tonight and I think we should do everything we can to accommodate him and others who have similar responsibilities.

Interjection by an hon. member.

Mr. R. F. Nixon: However, his comments about the loss of valuable farmland prompted me over the dinner hour to do some thinking about the circumstances myself. As a matter of fact, I am one of the dairy farmers, not on the concessions he was listing but on concession 3 of South Dumfries township, who went out of the dairy business—

Interjection by an hon. member.

Mr. R. F. Nixon: —two years ago and might very well have been a part of the statistics he would be putting before us. It was interesting for me to piece together in my own mind some flesh to the bare statistics he put before us. In so many cases he talked about 100 acres being sold to an owner in Montreal. I think he referred to them as middle-class professionals; in South Dumfries we usually refer to them as upper-class because they have lots of money.

They come out to the rural townships but we find they are not particularly interested in class 1 land; even they can't afford it. They are interested in the farms which are shallow in soil, with a good deal of scrub bush, the more streams and swamps the better, and, perhaps, a pasture or two for some horses they think they are going to ride but, in fact, just stand around there burning oats and hay and being nice for petting. A few white fences complete the picture and they have what one might call a country estate.

Often, at least in our area, the farms that have been so taken out of direct production were not, essentially, productive in the sense that class 1 land is productive. Often my neighbours, who have been trying to make do on a real farm economy on class 1 land, would be rather hopeful that somebody would come along and make them an offer because these people are the ones who are continuing in dairying.

I really think even the Minister of Agriculture may remember those days when he had to look after a dairy herd. I am not sure that anyone who has not heard the alarm at 5 a.m. every morning, seven days a week, month after month, year after year, realizes that in many respects it's like dying every morning; when you get up in the pitch black, and your wife is not even interested in a good wish.

Hon. A. Grossman (Minister of Revenue): How come the Leader of the Opposition looks so good?

Mr. R. F. Nixon: You strike the cold floor and you pull on the overalls and you go out and you wonder where those bloody cows are this morning. It is too dark to find them. And of course in the wintertime the all-night automatic Hydro light is glimmering on the pole and the snow is sloping down past it and you just think, "What in God's name am I doing this for?" And if somebody comes along and offers you the money for your milk quota and your cows, and perhaps even your land, you have to think about the alternatives.

Mr. O. F. Villeneuve (Glengarry): That's exactly right.

Mr. R. F. Nixon: One of the alternatives in our area is that maybe you can get a job driving an Esso truck.

Hon. Mr. Grossman: Is that a commercial?

Mr. R. F. Nixon: You work 48 hours a week—and as a matter of fact, now with this amendment, 44 hours a week. You have the prestige of driving one of the biggest trucks on the road with a big pup behind. Everybody turns and looks at you as you go by. You get at least two weeks a year holidays, and probably three or four. The income is far better than you can count on, even though you do work long hours and try to maintain the economy on the kind of investment that the leader of the NDP was talking about.

I am not saying that he is wrong. I really believe that for so many years the economic pressure has been just that—that a person with any sense would get off the farm and drive a truck.

Mr. W. Ferrier (Cochrane South): Not many get the opportunity.

Mr. R. F. Nixon: I happened to live on a farm where my great grandfather started on that very property and built the house in which I live. Down through the generations the farmers have never had any trouble making enough profit from their endeavours and their investment to educate their children at university, or in the very early days what amounted to private education. They were considered pillars of the community, and community leaders.

But in the last 10 years the farmers have become not second- but third-class citizens, because anybody who would objectively assess their returns on their labours and their personal commitment would have to come to a conclusion that they just didn't have any good judgement at all; that the farmers who were prepared to go on, and who on the way out of church on Sunday morning congratulate themselves and each other on at least being their own bosses, would already have done a day's work on that very Sunday; and that more and more the young people, particularly, through their own judgement and through the advice of their parents, would look for something else.

Mr. Ferrier: That's quite right.

Mr. R. F. Nixon: Even, as I say, a job truck driving was much better in the scale of prestige and certainly much better in the scale of remuneration than a continuation on the farm.

And most farmers were anxious, just looking for somebody to come down the road with some cash in his pocket to put on the barrelhead to buy their property so they could go off and do something else and leave the farmland with the hobby farmer, or the lawyer from Toronto or the plumber from Hamilton.

Mr. Ferrier: The farmers in Huron—

Mr. R. F. Nixon: I am thinking of the instances on the concessions in our township, where the farmers were delighted to do so.

Things have changed a bit. In my own experience very few of the class 1 farms have been lost other than in close proximity to the cities where the land has been bought at unrealistic prices, usually for the development of shopping centres.

The Treasurer (Mr. White) is aware of the inadequacies of the planning legislation in this province which has permitted the class 1 lands in the townships around urban areas —say around Chatham, around Woodstock, around Simcoe, around Goderich, just to cite specific examples—to be used for commercial developments, particularly shopping-centre developments, even though we had presumed in the Legislature that in those areas where no official plans existed there were safeguards that would allow rational development of the areas to take place.

But normally the land that has been lost has not been class 1 land. In many areas it is land which should not have been cleared in the first instance.

My mother's ancestors were Scottish, came out under the direction of the government of Canada in those days. I think it was John A. Macdonald, in case anybody wants to pin the blame. They came to some of the rocky, shallow land in some of the townships in eastern Ontario, Lancaster township. The one that the leader of the NDP was talking about was not one of them; it is much better soil there. They cleared the land and tried to make a living on rock outcroppings; terribly bad judgement on the part of the people who were advising the immigrants then.

The member for Lambton (Mr. Henderson) is here. He is aware that many people from the Glengarry area and the Lanark area pulled up their stakes and made the trek right through to Lambton. Maybe that was not such a wise decision when you look at it in retrospect.

Interjection by an hon. member.

Mr. R. F. Nixon: But they went down there and struck oil—and actually you can't beat that for good luck. Unfortunately those pools have been pumped out, but much of the land which is sometimes described in

ringing tones as class 1, the basis of the agricultural economy of the province, is not that at all. There may come a time when we will want to put it back into production but, in my opinion, much of that land is not a serious loss.

If we're talking, however, about the loss of the land because of urban encroachment, that is another matter indeed. The planning aspects in this province have been totally inadequate, and there have been specific cases brought before the Legislature, during this very session, which must embarrass the Treasurer and certainly must embarrass one of his predecessors, the present Minister of Energy (Mr. McKeough). For all of their warnings, all of their statements about planning, a good deal of the loss of this truly class 1 agricultural land was unnecessary. If it was necessary, it should have taken place only after very careful community planning, which was not undertaken.

I don't want to dwell on this unduly, but the one point that has not been forthcoming from the leader of the NDP as yet is the fact that production has been maintained. When in ringing tones he bemoaned the loss of dairy farms, some of them with 20 or 30 cows and some of them, in the last instance before he left at supper time, with eight cows, obviously they were good decisions on the part of the farmers who finally made them.

I do believe in the family farm. The family farm, with sons and daughters who are there to assist in the work that is necessary, can be productive on a basis of milking 50 to 100 cows. It can, in fact, put these farmers on a basis of income where they don't have to take a second place to anybody in the community.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Quite right.

Mr. W. Newman (Ontario South): We agree with the member.

Mr. R. F. Nixon: It is true that the cost aspects are devilish and troublesome.

The hon. member for High Park (Mr. Shulman), when he started to speak this afternoon after a lengthy absence, called for a quorum immediately. Even though there was only one NDP member present, he called for a quorum immediately and rang the bells so that people could listen to him.

I wish he were here tonight, when I would say to him again that one of the aspects of the costs that the farmers must pay is directly associated with their feed costs, which is directly associated with the cost of soya beans, which is directly associated with what he brags was one of his great financial coups during the last few months when he bought the futures on that grain and, I believe, barley. And when he says he was doing the farmers a great service, I say that he's talking through his hat.

Hon. Mr. Grossman: He says that keeps the price down.

Hon. Mr. Winkler: And his colleagues don't care.

Mr. R. F. Nixon: The enormous profits he made on those futures came from two sources—from the farmers and from the consumers, and from no other source.

Interjections by hon. members.

Mr. R. F. Nixon: And in so doing, I don't feel in any way I'm attacking the NDP, since they've been wise enough to disown him, but because he came in and made an independent statement that, in my view, is a serious matter indeed.

Hon. Mr. Winkler: They don't care.

Mr. R. F. Nixon: Well, maybe they do care. He is the source of some embarrassment to them. The member for High Park simply argues the farmers are given a predetermined guarantee. I must say that his contribution to the debate this afternoon was an interesting one, a significant one, and I'm sure we'll hear about it again. We've got to balance these things; there's no doubt about that. There's just nobody around here like him, that's all—not exactly like him.

Mr. J. F. Foulds (Port Arthur): Not even the member for Grey-Bruce (Mr. Sargent).

Hon. Mr. Winkler: Thank the Lord.

Mr. J. E. Stokes (Thunder Bay): The Leader of the Opposition is just a little more charitable than the government House leader.

Hon. Mr. Winkler: That may be.

Interjections by hon. members.

Mr. Foulds: You win some, you lose some.

Mr. R. F. Nixon: But I don't want to dwell on this topic to a great extent of time, because it has not been my intention to talk about the utilization of farmland, other than to say, in the conclusion of this aspect of my remarks, that there is a change in the agricultural community. Until about a year

ago, the aim of every farmer was to advise his son to go to college and become a lawyer, a fireman, a teacher, or even a politician if he could manage it—

Mr. Ferrier: Or an engineer.

Mr. R. F. Nixon: Or a preacher, yes.

Mr. Ferrier: I said "engineer."

Mr. R. F. Nixon: Anything but a farmer, because there are a good many of the farmers in that age bracket between 50 and 60, as the leader of the NDP's statistics emphasized, who had made the commitment some years ago. Many of them were returned men who had come back from the war. Many of them felt their lives were, in many respects, fulfilled in their wartime service. They came back to join in the postwar economy and enslaved themselves on the farm from 1946 until about now. They have seen their ability to provide for their families – as they had hoped – be quite a disappointment in many respects. Their advice to their sons was, "Do something else. Maybe we can keep this land in the family and you can be a moonlighting farmer"—or as I was, a moonlighting teacher —"and do a little farming on the side." It worked out quite well.

Things have changed, and I don't discredit the role the Minister of Agriculture in Ontario had to play, nor the Minister of Agriculture in Canada. I would say it probably has been in spite of both of them that the income for farmers can be substantially improved and that the prices have gone up. We have heard a good many bone-chilling screams from the NDP and others about the preposterously high food prices. Yet there is no doubt in my mind that high food prices are here to stay, that they must be here to stay—

Mr. J. E. Bullbrook (Sarnia): Right.

Mr. R. F. Nixon: —and the people who have been, let's say, receiving the advantages of higher incomes in almost every aspect of the economy other than agriculture are now, I believe, reconciling themselves to the facts of the case. It's true, and we can mount a tremendous argument, that the middleman is taking an unconscionable share, and the profits in Loblaws are higher this year than they were last year and so on, but essentially more money is going back to the farmers.

Mr. Bullbrook: Right.

Mr. R. F. Nixon: The thing that appals me is that the vultures, whoever they are, are flying around. They see there is more money at the farm level and the costs of the fertilizer, the feed, the equipment, everything they must buy, have gone up at an even faster rate. It is almost pathetic when one sees that when the sun shines through the two decades of economic agriculture clouds, immediately the farmers are divested of some of the advantages they might very properly have felt should come to them, with the tremendous increase in their costs. They have gone up at a rate which is almost incomprehensible and shocking.

I would say, in closing this aspect of my remarks, that the farmers' attitude is now changed. Until last year, maybe the year before, it was, "If somebody comes and wants to buy the land, great. Let's use every bit of influence we can with the local planning board and everybody else to sever the lots along the front because we can get $5,000 for each one of them and this is our due." That feeling has changed. I was interested to hear the president of the Federation of Agriculture widely quoted as saying the farmers' land is really not their land; in fact, it belongs to the community. I believe his position in that was not overstated by him but was often overstated by editorialists reporting his views.

The feeling now on the part of farmers is, "Great. You give us money for what we can grow and we will certainly not only knuckle under to planning decisions and requirements but we will insist on tough planning decisions and requirements." Because the farmers, ahead of anybody else, want their land remaining in a viable agricultural use as long as there is a proper return for their investment and their labour.

We're not talking about any small return on the investment of their labour. We're talking about a substantial return so that they, like anybody who invests in a brewery stock, or has a legal practice, or anything else—

Mr. Ferrier: Or Cara. Ask about Cara.

Mr. R. F. Nixon: The member is getting a little close to the bone there. We're asking that they're going to get a return for this.

Mr. V. M. Singer (Downsview): And they deserve it.

Mr. R. F. Nixon: And this is the answer. This is what will make planning work.

Mr. Singer: Right.

Mr. R. F. Nixon: This is what will keep agriculture and agricultural land a viable part of the economy of this province.

Mr. Stokes: Like the member for York-Forest Hill (Mr. Givens).

Mr. W. Newman: Spoken like a true Tory.

Mr. R. F. Nixon: Oh, no. That has got to be the worst insult that the member could shoot at me.

Interjections by hon. members.

Mr. J. R. Breithaupt (Kitchener): Spoken like a real Liberal.

Mr. C. E. McIlveen (Oshawa): The Liberal leader's speeches are improving.

An hon. member: He'd better change his name.

Mr. Breithaupt: The member is being provocative.

Mr. R. F. Nixon: Because, Mr. Speaker, the answer is there. There is no doubt about it. If we can maintain a viable agricultural economy, our planning decisions are going to be much simpler; and you'll have the farmers on your side, rather than on the telephone at night trying to get special permission for severance of certain lots from time to time. That's changed; and the farmers and the farmers' sons are now looking forward with confidence to a future in which their return is going to mean something.

There is just one other matter that I want to mention. I would suggest to the Minister of Agriculture that he recommend to his colleagues that this should be done sometime before 1975, maybe in 1975—knowing him as I do. And that is a return to an effective provincial farm loan programme, which has been maintained in certain other provinces.

It was a sad day indeed when our Minister of Agriculture—and he's been in that office now for 11 or 12 years—moved that the junior farmer establishment loan be repealed. I believe we must come back with some provincial programme that meets the needs of this province, and I believe it should be done without delay.

I would predict to you, Mr. Speaker, that that's going to be one of the packages that we're going to be able to examine sometime in the next few months. And if it takes an election, to smarten up those true blue Tories and get back on the road to achieve this, then so be it.

Interjections by hon. members.

Mr. W. Newman: Is the Leader of the Opposition saying Mr. Whelan isn't doing his job?

Mr. R. F. Nixon: As a matter of fact, the hon. member for Ontario South, who is stuck up in the back row, might very well become the Minister of Agriculture.

Mr. Breithaupt: If he gets re-elected.

Mr. R. F. Nixon: If he gets re-elected, I don't know. A lot of people out there are pretty interested in that chap named Cafik, who is interested in provincial politics.

Mr. W. Newman: He is not doing his job.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Give us a clue.

Mr. W. Newman: I'd welcome the challenge, I will tell the member that.

Mr. R. F. Nixon: I would think that the future of the member for Ontario South pretty much depends upon what Norm thinks he's going to do in the future.

Mr. McIlveen: If he ever replaces the member for Ontario South, he will replace the Leader of the Opposition.

Mr. R. F. Nixon: All right. We'll see.

I notice, Mr. Speaker, that the Premier (Mr. Davis) is not in his place. While I regret that, and I would never get through a speech under these circumstances without calling your attention to it at least once, and perhaps more often, he has had a rather difficult few days.

Somebody—I believe it was the member for Riverdale (Mr. Renwick)—said the last few days have been like a nightmare when there's always the prospect of a statement from the Premier himself tomorrow, or perhaps even later today; that it is now possible to say that the teachers have reached some agreement with the Premier himself; that the bill which we have debated for so long—ad nauseam, I would say—is going to be withdrawn, or at least suspended; and that we can return to our more normal activities.

Mr. W. Newman: It would sure help the Liberal leader, wouldn't it?

Mr. R. F. Nixon: But the statement does not come. And the interesting thing is I really believe that it has been handled most ineptly by the Premier himself.

One of the things that appalled me about the gathering in front of the Legislature yesterday was the strong feeling aaginst the Minister of Education (Mr. Wells) that was expressed. If they were calling for a resignation, it should have been the resignation of the Premier.

Interjections by hon. members.

Mr. R. F. Nixon: The Minister of Education, as somebody said, was just a man who comes along after the parade to sweep up, and it is the Premier—

Mr. Breithaupt: It was me.

Mr. R. F. Nixon: Yes, it was the member for Kitchener who said that. I should have remembered. It should have been the Premier when it became apparent that his own people, his own advisers, even the people he pays to take his public opinion poll, had underestimated the strength of the teachers' position; not only among the teachers, but among other professional groups, among the trustees, and I would say to you, Mr. Speaker, among the mass population of this province.

Mr. W. Newman: The Liberal leader doesn't believe that.

Mr. R. F. Nixon: It was obviously the Premier's duty over this last weekend to say to the Minister of Education: "Okay, Tom, these people are in Toronto. They are concerned and worried. They're here wondering what they're going to do next week. Tell them the Premier wants to talk to them and bring them in and let's get this thing settled."

The Premier, in response to my question, said, "Yes, that would get you off the hook." We are on no hook, I will tell him. We are on the right side of this politically, I'll tell you, Mr. Speaker. The people who are politically suffering are the Tories. Right now the Premier is in his office, maybe with the president of the OTF—who knows who goes in and out of there?—desperately trying to bring in a statement which we all expect. He has said there won't be one tonight, so we will expect it tomorrow morning, whereby certainly the schools remain open.

We all hope and pray for that and that the legislation that has been debated here over the last few days, Mr. Speaker, will either be withdrawn or suspended. That is surely what can be accomplished. The Premier has failed in his efforts to do this so far.

Frankly, I wish him great success because his initiatives on the introduction of this bill have done, not irreparable damage, but substantial damage to the education system of the province, and whether it is of significance to the Treasurer who is beaming at me or not, substantial damage to the Progressive Conservative Party of Ontario.

Hon. Mr. White: I don't think so.

Mr. R. F. Nixon: I don't know what the Premier is going to do.

Hon. Mr. White: The Liberals have lost respect.

Mr. R. F. Nixon: I would presume that if it were possible for him to be here he would be in his place to hear my comments and perhaps respond to them. I don't know whether he is going to be speaking later in this debate, but I trust and hope that he will. At that time, we will want an accounting from him to this House on his stewardship of the high responsibility of dealing with the education system of the province, which apparently he has taken from the hands of the Minister of Education and, in fact, which was in his hands during the whole of this matter that has concerned us since Dec. 5.

I want to discuss other matters, Mr. Speaker, in more general terms. The budget that the Treasurer presented to us with such fanfare on Thursday, April 12, has now substantially run its course. There are two or three months remaining. I believe he has implemented almost every aspect of the budget except one, that is, that I was able to discern. It is one that I have talked to him personally about, and that was his indication that the government was going to have a policy to assist the community in acquiring and maintaining buildings of architectural and historic significance.

An hon. member: It's in the works.

Mr. R. F. Nixon: He has said that he has been dealing with the Minister of Colleges and Universities (Mr. McNie) in this and we look forward to some legislation. There is not a town or village or a city in this province except where there are small groups of people concerned with this very matter. I can assure him of our support if the legislation which he envisages and which he says is in the works will give support to those groups within the community which are concerned with our heritage, historical and architectural.

Mr. Singer: Energy tax?

Mr. R. F. Nixon: Energy tax? Yes, well the energy tax is a matter that I am going to

deal with in a moment, but we fixed that up fairly well some months ago.

Mr. I. Deans (Wentworth): Just what the member needed, a prompter.

Mr. R. F. Nixon: Usually the member for Wentworth does that for me in fact, I get assistance from all sides.

It has been an eventful year for all of us. We can recount some of the circumstances that we have had to deal with politically and particularly in the Legislature. The leader of the NDP had announced that he was going to leave the leadership and had the temerity to change his mind, and he was accepted without even a contest—of all the fantastic things—at the leadership convention of that party. It is sort of an indication, Mr. Speaker, that the NDP has lost its sand or its grit or its starch or something like that.

Mr. Deans: Stick to Grit.

Mr. R. F. Nixon: It used to be before when the member for York South (Mr. MacDonald) was leader that there was always somebody to take a run at him. It used to be the member for Riverdale who was the perennial leadership candidate. He may be again. Who knows?

Mr. Stokes: I hope the member is smiling when he says that.

Mr. R. F. Nixon: I feel that the ascendancy there is somehow now between the member for Ottawa Centre (Mr. Cassidy) and the member for Wentworth, who are going to win the leadership on the strength of who can talk the most. At the present time, in case they are worried about it, I would say it is a draw. I hope we are going to be spared a further demonstration of their abilities until sometime late in the next session.

I would be remiss if I didn't say that as far as our party is concerned—

Mr. E. W. Martel (Sudbury East): Solidarity forever.

Mr. R. F. Nixon: —there have been certain events which have been of substantial interest to us, if not to anybody else—

Interjections by hon. members.

Mr. R. F. Nixon: It has been interesting to read the reports where the Premier indicated that he was delighted—

Interjection by an hon. member.

Hon. Mr. White: We try to please everybody in the House.

Mr. R. F. Nixon: —that I had been reaffirmed in the leadership with a knowing smile. I appreciate that and am prepared to accept it as a compliment.

Hon. Mr. White: I'm glad to see the member back, I'll tell him that.

Mr. R. F. Nixon: I'm sure, Mr. Speaker, being a politician yourself and a person who may still very well have leadership ambitions in your own party although it would be very much like applying for a job as captain of the Titanic, you are aware that in a political party there is nothing like a good, strong, active contest for the leadership to activate the troops and strengthen interest in the political affairs of the party.

Mr. Deans: That's one interpretation.

Mr. R. F. Nixon: Speaking personally and, I would say, for my deputy leader as well, we have no regrets.

Interjections by hon. members.

Mr. R. F. Nixon: I'm looking forward to a similar contest in the future which, under the constitution of our party, will be necessary two years after the next election.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): Only if he loses.

Mr. R. F. Nixon: But I think my position will be somewhat stronger under those circumstances, since I will be contesting the leadership as Premier of the province.

An hon. member: Right on!

Interjections by hon. members.

Hon. Mr. Grossman: He'll need a shot in the other arm.

Mr. Deans: If no one else will say anything nice about him, he will say it himself.

Mr. R. F. Nixon: There is one area that I felt that I should make some special reference to—

Interjections by hon. members.

Mr. R. F. Nixon: —and this, as you know, Mr. Speaker, is a matter of substantial sincerity as far as I am concerned. I want to make a reference to my colleague, the hon. member for Downsview, who until just a few weeks ago sat at my right hand and at the right hand of a number of my predecessors.

Mr. Renwick: Where is he? Where is the member for Downsview?

Mr. R. F. Nixon: Without going into all of the ramifications, I would just say to you, Mr. Speaker, that there has never been a moment when I had the least doubt about the man's integrity and, more than that, his ability. There is not a member of this House who would disagree with me on that basis.

Interjections by hon. members.

Mr. R. F. Nixon: This is hardly the forum for all of these compliments, but when I think of the years of my leadership—and, you know, it began about this time in 1966, which is a long time ago—

Mr. Stokes: What does the member for Grey-Bruce think about this?

Mr. R. F. Nixon: Well, I don't know. He often makes his own speeches. Hasn't the member noticed?

But I think of all of those years and the years before, when the kind of support from the member for Downsview has been substantial, not only in the interests of the party —while it is of primary importance in the general scheme of things, it's got to be about No. 5 on the list of real priorities—but in the conduct of his debate in this House, his marshalling of the facts associated with the debate and, I'm sure you will agree, the strength with which he can put his proposition and, almost without exception, win the day. I tell you, Mr. Speaker, on occasions like this, in a forum like this, where you know him almost as well as I do, I want to thank him for his service and for his continuing service, because without him—

Mr. Stokes: Is the member for Downsview retiring?

Mr. R. F. Nixon: He's not retiring—that's the point. Without him we would be far weaker, and with him we are far stronger.

Mr. R. G. Eaton (Middlesex South): What about the one on the left-hand side?

Interjections by hon. members.

Mr. R. F. Nixon: There's something special about this particular debate, Mr. Speaker. We're sort of at the watershed between two elections. The government feel that they've done the dirty work. They've raised the sales tax; they've imposed the regional governments — the list is endless They have now got to a position where, with the revenues that should accrue to us, they can do the projects which, perhaps, will allow them to return to the people sometime in 1975, if not before, with some idea of recouping the losses they've experienced over recent months.

I don't have to draw members' attention to the by-election victories for our party which preceded by just a few days the beginning of this session, but I may refer to them before I conclude my remarks.

Mr. W. Newman: Well, we don't want to hear.

Mr. R. F. Nixon: Let's just look at the record because the budget the Treasurer put before us calls for an expenditure of about $7.4 billion—that's budgeted expenditure on a cash account; it is considerably more than that—and it calls for a deficit of $402 million.

I remember during the campaign of 1971 one of the most telling statements by the Premier, the leader of the Conservative Party under those circumstances, that he had put the civil service—paid, of course, with public funds—to totalling up the promises of the Liberal Party. He came out with a statement that was substantiated by the experts in the Treasury. I was really pretty offended at that, to tell members the truth. The least he could have done was use the platoons of experts at the downtown office of the PC Party; I presume there is a downtown office, other than the Albany Club.

He came up and said "If you elect the Liberals the expenditure in this province will go up by $2 billion." I had people saying "God, is that true? By $2 billion? That's very serious." I had to spend the next week saying, "That's a lot of money but, in fact, we want to do this and we want to do that." It is interesting to note that since the present Premier took over just a few months before that election the expenditure of the province has gone from $5.2 billion to $7.4 billion, an increase of $2.2 billion.

Interjection by an hon. member.

Mr. R. F. Nixon: He has even broken the prediction he was making in the wildest extensions of his political verbosity as directed to me. I really felt offended that he was prepared to take quite that cynical approach to the political business of winning an election.

Interjection by an hon. member.

Mr. R. F. Nixon: The Premier is not here but there was one thing I felt was a substantial personal criticism. The member for High Park said we should not indulge in

personalities. Somebody else did, too; I forget who it was.

Hon. Mr. Grossman: Who else would say that?

Mr. Foulds: The member for Grey-Bruce would say that, too.

Mr. R. F. Nixon: Yes, and the Minister of Education said we should not deal in personalities.

Interjection by an hon. member.

Mr. R. F. Nixon: I felt the Premier's approach to the politics of the province since he has assumed that high office—I never felt that way before—has been a cynical approach. If there is a political advantage he'll say it; if there is a political advantage he'll do it. I believe that applies to the situation with the teachers as it has never applied before.

Interjections by hon. members.

Mr. R. F. Nixon: He is prepared to play those teacher's organizations just like this. He is prepared to say to the public—

Mr. W. Newman: The member's conscience is bothering him tonight.

Hon. Mr. White: Shame.

Interjections by hon. members.

Mr. R. F. Nixon: He is prepared to say to the public, in the event there is not a solution he can announce tomorrow, "I have gone more than halfway"—I can hear it all now—and that the teachers are intransigent. In fact, he is leading them down the garden path.

Hon. Mr. Lawrence: Shame on the member.

Mr. R. F. Nixon: We do not know the details of these discussions but I'll say that the Premier's position is cynical and there is no other word to describe it.

Mr. W. Newman: The member's conscience is bothering him and he knows he is wrong.

Mr. R. F. Nixon: All right, let's get back to the budget for a minute and particularly the man—not the Treasurer, who is leaving, but the Premier who is not present. There are actually four budgets over which he had some control as Premier. In the first one, 1970-1971—and he became Premier in the spring of 1971—the deficit was $136.1 million; in 1971-1972, the deficit was $624.6 million; in 1972-1973, the deficit was $436.2 million; and 1973-1974, this year, the projected deficit is $402.1 million, for a total during those years of an increased deficit of $1.6 billion. It is interesting to note that in the last full year in which John Robarts had the responsibility for the conduct of our affairs, we had a surplus of $149.5 million.

Now, I ask you, Mr. Speaker, what would account for these changes? The Treasurer is quick to say that we do not share sufficiently in federal revenues. The Treasurer, who is also the Minister of Municipal Affairs, is quick to say we are paying more to the municipalities and they have raised taxes to accommodate for that. But in those years the net debt of the province has gone from $1.5 billion to $3 billion. As my colleague from Grey-Bruce informed us in his remarks earlier today, the interest on that debt alone during the member for Peel North's responsibility as Premier went from $310 million a year—that's the interest only—this year to $577 million a year. We have, in fact, got to the fiscal nightmare that Charlie MacNaughton used to predict for us.

Mr. Speaker, you remember when Mr. MacNaughton was Treasurer, he and Mr. Robarts—we used to call them white-lipped and trembling—used to take turns standing and addressing the House, in fact, addressing the Province of Ontario, and blaming the government of Canada for the terrible financial situation that we found in this province, which resulted in a surplus only of $150 million in the last year of John Robarts' premiership. Now we have got a real nightmare, and the level of deficit is astounding. It was interesting to read in the budget that once again the villain of the piece is the government of Canada.

I am not here to defend them. They can defend themselves. The Gallup poll shows them 10 per cent just this month ahead of some guy named Stanfield. I have got a certain sympathy with Stanfield's position. Trudeau is simply trampling him into the ground. Even Donald Macdonald is making the Minister of Energy look like an amateur.

I understand the two of them are both over in England selling atomic reactors. Is that so? They are over there enjoying Christmas in—

Mr. T. P. Reid (Rainy River): They are possibly over in Soho right now.

Mr. R. F. Nixon: —the mother of parliaments. It's a great thing to picture.

If there was ever a fiscal nightmare, it is upon us now. While we are concerned about the level of our revenues, we are not

sufficiently concerned about the level of our expenditures. This is really the problem that the government opposite has not come to grips with.

Hon. Mr. Lawrence: That is right.

Mr. R. F. Nixon: I am glad to hear that the provincial secretary agrees with me, because I wish that he had more of a voice in the cabinet council. I have a feeling—

Hon. Mr. Lawrence: It is as simple as that.

Mr. R. F. Nixon: I have a feeling they sit him in the corner. It really appears to me that the House leader, by some quirk of fate—and if there was anything ever Kafka-esque, it was that the House leader should be Chairman of the Management Board of Cabinet—was listening to him. Perhaps he, even more than the Treasurer or the Premier, is responsible for the fact that this year alone we are paying $577 million interest alone on the mismanagement of the affairs that are these responsibilities.

Interjection by an hon. member.

Mr. A. J. Roy (Ottawa East): Speak up, We didn't hear.

An hon. member: The provincial secretary does keep challenging those rulings.

Hon. Mr. Winkler: Does the Leader of the Opposition listen to everything the member for Grey-Bruce tells him?

Mr. R. F. Nixon: Well, he's right when he talks fiscal management, I'll tell the minister that.

Over the last year there have been a number of events and the government has attempted to react, to shore up the political problems that have come forward. I don't know whether to compare the Premier with the chap who ran around sticking his fingers into holes in the dike, because he can only do so many of those. It's probably better to talk about the man who puts the Band-aid on the severed limb, because in each one of the cases that I want to just briefly put forward, Mr. Speaker, that is in fact what has happened.

The Attorney General (Mr. Bales) is not here, the Minister of Energy is not here, but both of those gentlemen were subject to severe and serious charges of conflict of interest.

The Attorney General said if he sold the land he would give the profits to charity. We have had no report on that. But at least the former Treasurer resigned his position. He is now back in a senior position again.

But you know, there was a reaction to that. Not only the resignation of the Treasurer, but the statement by the Premier that all members of the cabinet and others would have to make a full disclosure of their business interests and financial interests of every type. And it was sort of the Band-Aid that was put on the fact that in the higher positions in the cabinet, conflicts of interest had become a reality.

I see the Minister of Revenue shaking his head and sticking out his well-known lower lip. I have a feeling that somehow since he shucked the housing responsibility, he is back to his old self. He can sit there without any responsibilities at all; laughing at the world and cashing his indemnity cheque—and planning his retirement.

Hon. Mr. Grossman: Do I do that?

Mr. R. F. Nixon: But I understand that the changes in the Legislative Assembly Retirement Allowances Act make it possible for him to have an even wider smile as he contemplates that eventuality.

Mr. Breithaupt: As he said this morning, he just waits to see what the mail brings in each day.

Mr. R. F. Nixon: And it is always something.

Hon. Mr. Winkler: Cheques.

Mr. R. F. Nixon: But we oppose the statement the Premier made on conflict of interest. We believe it is an important initiative that he took, and yet it is an indication that his response to that was a late response indeed. I am not prepared to stand here and damn the government members out of hand; or say, as one of my colleagues said, that they are individually nice guys, but collectively—what did he say—"scoundrels." Yes, because they were political scoundrels—

Mr. Roy: A bunch of bastards.

Interjections by hon. members.

Hon. Mr. Winkler: It was the leader of the NDP.

Mr. Bullbrook: The minister wasn't here this morning, was he?

Mr. R. F. Nixon: —but this is a part of the record over the period beginning about a year ago.

Interjection by an hon. member.

Mr. R. F. Nixon: Then there was the situation pertaining to the Workmen's Compensation Board. The Minister of Labour (Mr. Guindon) is not here. I have a high personal regard for that man.

As a matter of fact, in response to the leader of the NDP on one of those bills—the Employment Standards Act—after there was a very strong attack from the leader of the NDP and a very impressive speech indeed, the minister got up and in his own inimitable style he met it and surpassed it with his argument. Although it did not meet the argument, in fact it sustained the government rather well, particularly when he, with just a touch of his Cornwall accent, spread his arms and said, "I'm nothing but a truck driver." I felt he had proved he was a politician par excellence.

But we are talking about his responsibilities as Minister of Labour, and we can't pin all of these on him, because the Attorney General, as his predecessor, was probably more responsible in making the deals that resulted in the investigation of the Workmen's Compensation Board, the fancy procedures for the retirement of Mr. Cauley, the bargain with Fidinam for the building of a new headquarters—all of them really shocking revelations. These were not political innuendoes, but facts that have been put before the public.

We don't have to go over this again, but that was a $50,000 donation to the Progressive Conservative Party by Fidinam Ltd., which is now building that enormous structure which may never be finished. They are building and building and building. I have yet to see a window in that place. I don't know what goes on behind those concrete walls. It is the most formidable building in town.

Interjections by hon. members.

Mr. R. F. Nixon: They really haven't thought of facing it with mirrors, the way Mr. Moog did in his concept of the Hydro building.

Mr. Reid: Mr. Kelly doesn't want to be seen walking in through all of those windows.

Mr. R. F. Nixon: But there were a number of reactions. I remember the Premier standing in his place and he was still fairly fresh from his 1971 victory with 78 members. He only has 76 now; but then he had 78 members. He had sufficient personal strength and prestige to simply stand in the House and say: "I can give you, Mr. Speaker, and the world at large my assurance that I have examined the matter and nothing untoward occurred."

Well what can you do? The hon. member for Huron-Bruce (Mr. Gaunt) said "we all ought to walk out," or something like that. You see, Mr. Speaker, that doesn't achieve anything. I don't believe there is ever a circumstance when opposition members should leave this chamber. But what are we going to do with prima facie evidence of that sort of political chicanery, and the Premier simply gives an assurance, with his arms outspread, which is apparently accepted by the people of the province?

Something good did come of it; the Premier announced to the surprise of most of his colleagues—I would suggest all of his colleagues—that he was going to bring in legislation to disclose sources of political financing. This is an important step forward. I would hope, when the report comes from the Camp commission, and the Premier said we would have it in April, that there would also be some indication that we should also control the amount of the expenditure as well as disclose its sources.

Really, while that is an important development, still it does not change the fact that the Progressive Conservative Party and high members of this government have been accused at least, with some substantial evidence, of the kind of political pork-barrelling which should have gone out—yes, I'll say it—30 years ago.

We can refer to the energy tax. The Treasurer is not embarrassed about that at all. He has been chided and twitted, not only in this House but across the province, for the ridiculous comments in his budget about dogs being members of the family, and people having to put on sweaters and turn down the heat.

Mr. Roy: He hasn't worn a sweater since then.

Mr. R. F. Nixon: Essentially there was a lesson in the application of the seven per cent tax on energy. That is that the public has the strength, through the opposition, certainly, but I would be prepared to admit even more strongly through telephone calls to the members of the government, through editorialists and otherwise to get the government to draw back from a mistake.

It has been interesting to hear political wiseacres say, "The Treasurer knew what he

was doing. He was prepared to do that and draw back from it because the people then wouldn't be so worked up about the seven per cent sales tax."

Now, I don't think that he is either that smart or either that stupid. It was a mistake. It was a serious mistake.

Mr. Reid: Or that cynical. That gives him a lot of room in between.

Mr. Bullbrook: Somewhere in between.

Mr. Breithaupt: He is caught by the ceilings.

Mr. R. F. Nixon: But he and the Premier recognized and withdrew. This lives on in the memory, although it might be subliminal, of the people who are going to defeat the next government, along with the other items I have put before you, Mr. Speaker.

Maybe the conflict of interest matter has been forgotten. I don't believe that it has. Maybe the Workmen's Compensation situation has been repaired. After all we have a new and well accepted chairman and they run ads every day in every paper that they are open evenings. It's enough to bring tears to one's eyes. There is a new approach down there. Perhaps that particular hole in the dike has been stopped up permanently.

But there is a residual, perhaps a subliminal, memory of the inadequate decision, the inadequate judgement of the Conservative Party and particularly the leaders of that party who sit opposite us at this time.

I have talked about the Fidinam affair. The energy tax I have referred to briefly. The Hydro investigation occupied our attention during a great deal of this session. I have had letters from Liberals saying, "My God, that is a terrible thing. You shouldn't have pursued that the way you did. The findings have exonerated the Premier."

Hon. Mr. Grossman: That's right.

Mr. R. F. Nixon: I am not prepared to enter into the argument again other than to say that the Premier's integrity was never in question, only the administrative ability and the judgement of the Premier and those of his closest advisers.

Mr. Bullbrook: Right.

Mr. R. F. Nixon: The fact that the Tories are prepared, evidently, to allow the resolution on the order paper which should deal with the matters pertaining to that report to die is a further indication of their cynical approach to the public affairs and the public life of this province.

The fact that John Cronyn, the chairman of the Committee on Government Productivity should go without any further punishment other than what has already been meted out to him—

Interjections by hon. members.

Mr. R. F. Nixon: —I believe is a serious travesty of justice in this province. Members will find that in the name of the member for Huron-Bruce there is an amendment to the government resolution indicating clearly that the House should come to grips with that.

Interjections by hon. members.

Mr. R. F. Nixon: We are not concerned with the role of the Premier other than as an emanation and an aspect of his incredibly bad judgement which has been brought to the fore on so many occasions since he assumed the premiership.

Interjections by hon. members.

Mr. R. F. Nixon: There has been some repair on that matter as well.

Interjection by an hon. member.

Mr. R. F. Nixon: The Premier has made a statement about letting contracts; when we pursued the matter with the policy minister today, he said he wasn't sure whether this applied to Hydro or not.

The record shows that Ontario Hydro was prepared to let contracts this summer, during the hearings of the select committee itself, to a construction company in the amount of $5.5 million for the building of the dam in eastern Ontario without calling any tenders whatsoever.

The information about the interlocking directorates once again shows that the Tory machine is in operation, that the centre of the balance wheel is no longer located in London, even though the Treasurer might like to think that a certain degree of responsibility still rests with him.

Isn't that a lovely sight? Isn't that great? He is shining his glasses—

Interjections by hon. members.

Mr. R. F. Nixon: I remember a picture taken of Wacky Bennett and his front-bench members in the Legislature, and Wacky Bennett had that same look on his face: "Who's to stop us? To hell with the opposi-

tion! Nobody knows what we're doing and we're here for a thousand years."

Mr. Foulds: Remember who did stop them.

Mr. R. F. Nixon: Well, it's just not going to be that way.

Mr. Reid: He doesn't care. He's gone. He's leaving. He's like a rat leaving the ship.

Mr. R. F. Nixon: We can go on with the list. The use of government aircraft is always one matter, when raised, which makes the Premier rise in his place on a point of order. He gets terribly exercised about this. But the findings of the Provincial Auditor, the questions asked in the House by the two opposition parties and in the public accounts committee, eventually led to a strange series of events. It was almost Washingtonian in its general feeling.

Mr. J. P. MacBeth (York West): Will it happen in Ottawa?

Mr. R. F. Nixon: Minister after minister got up to defend, not President Nixon but rather Premier Davis. I remember the Minister for Natural Resources (Mr. Bernier) getting up and saying, "Well, the Premier can't be expected to fly Air Canada or CP Air, because his life would be in danger." And hon. members will remember that the people in authority from both those companies said there had never been any indication of that.

Every attempt to squirm out of that situation simply turned to ashes as far as the government was concerned, until the Premier finally did the only thing he could do: He rose in his place and said, "I shouldn't have been using the aircraft that way. As a matter of fact, I'm going to pay back $21,000 for the use of the aircraft." We have been examining that, because at one time there was every indication that those cheques were going to be written out by the Premier himself and the treasurer of the Progressive Conservative Party—they seem to have two, one with money and one without money.

Hon. Mr. Grossman: So does the member's party.

Mr. R. F. Nixon: Those cheques were going to be deposited in a vault downstairs or over in the Frost Building and, unfortunately, they couldn't be cashed.

It's a strange thing indeed that the embarrassing circumstances around this at least led him to make a statement which indicated once and for all that government aircraft would be used on provincial business and for no other purpose, that the jaunts to Fort Lauderdale were going to have to be by Air Canada or maybe a private charter, but that these planes were not going to be used for that purpose. I think that's good.

I've had a letter saying, "You're prepared to criticize Davis. Why don't you criticize Trudeau?" Well, I'll tell you this: I don't believe the Prime Minister of Canada or any Premier should use these aircraft unless they are for the proper business of the country and the province.

And I would say that when the Premier says he is Premier 24 hours a day, I can believe him, because I'm sure that over the last few days there have been very few hours when his mind and his concerns were not on the solution to the problems of the province.

Mr. McIlveen: It's every day, not just the last few days.

Mr. R. F. Nixon: It so happens in this case that he was the author of the problems, but still they're problems that must be solved before we leave here, whether it's before or after Christmas.

I would just say that this is quite a list. And in every one of those cases there has been a government reaction which has tried to shore up the dike, paper over the problems. But in the minds of the people of this province there is still the understanding of the incompetence, the bad faith, the cynicism and the pure bad judgement of the government of the province, the Progressive Conservative Party of this province.

Mr. B. Gilbertson (Algoma): That's not a general feeling.

Mr. Reid: The cabinet ministers are flying around the province.

Interjections by hon. members.

Mr. Roy: Is the member for Algoma awake? He is?

Mr. Gilbertson: I think a minister should have his plane at his disposal 24 hours a day.

Mr. R. F. Nixon: There are matters pertaining to more direct issues that I would like to deal with. After the by-elections last March, particularly the one resulting in the election of the hon. member for Huron (Mr. Riddell), where regional government was an issue, the Treasurer and the Premier made some rather strange statements. They were construed by the people in the rural areas of the province as being a commitment that

no further regionalization would occur, except in those areas where it was specifically requested by the people concerned. There was the feeling that, well, good, the democratic process was working; the message from Huron had got across.

I can remember the Premier taking part in the campaign up there, saying, "Why are the Liberals raising the bogey of regional government?" There is no plan to regionalize Huron county. But the answer was that the time to show one's objection was not when the Treasurer fixed you with his beady eye and a bill in his hand, but well before—

Mr. Bullbrook: That is one eye.

Mr. Singer: Which one?

Mr. R. F. Nixon: —so that the Treasurer and the government of Ontario knew you were not prepared to stand for the imposition of this high-cost form of government which simply made municipal affairs more remote from the people who paid the bills and who should be served by it.

It wasn't long until the Treasurer and the Premier said, "Well, we lost two but we still have 76," and they proceeded with five more regionalizations.

Now there has been a change in attitude. I have felt, interestingly enough, the municipal leaders are not now so intransigent against it as they once were. Maybe I am being cynical, when I see that the results of the election in Haldimand-Norfolk have put many of the good old trusted standbys from municipal government back into similar positions. And they have not yet fixed their indemnity.

But in those areas where the indemnity has been fixed, and I live in a certain glass-house in this regard, we get the same old gang back at four times the price. You just wonder what purpose has been served. You find there is very little consistency. I believe the salaries of the chairmen vary from—

Hon. J. W. Snow (Minister of Government Services): Just twice the price in Halton.

Mr. R. F. Nixon: Is $40,000 the top?

Hon. Mr. White: No.

Mr. R. F. Nixon: Is it $38,000?

Mr. M. C. Germa (Sudbury): It is $39,000 in Sudbury.

Mr. R. F. Nixon: It is $39,000 in Sudbury. I appreciate that.

Mr. Germa: It is $40,000 with moving expenses.

Mr. R. F. Nixon: Yes, $39,000, close to $40,000, except that in Haldimand-Norfolk the chairman has been persuaded to serve for $18,000.

Interjections by hon. members.

Mr. R. F. Nixon: It's interesting how the government deals with this matter, because the chairmen are all its direct appointees and employees responsible to the government here at Queen's Park and, of course, that shows in the decisions and the attitudes they take to local government. The argument for the election of the chairman at the local level has been put on several occasions. The hon. member for York East (Mr. Meen) is here and I know he would be delighted to hear it one more time.

Mr. Singer: He can't wait.

Mr. R. F. Nixon: But I am simply saying to you, Mr. Speaker, that the approach to regional government also has been cynical—what will the traffic bear? After the by-elections there was a great reaction of "We are not going to go any further with this." Then five new regional governments are established.

Well, we fully debated them here. Members know what the cost aspects are. As a matter of fact, we are aware that the defence for regional government from the Treasurer and particularly from the member for York East and his colleague from Grenville-Dundas (Mr. Irvine) has been that the costs are kept under control by transitional grants, density or sparsity grants, special handouts, although we don't get so many of those as we did get back in the summer of 1971. But even with those special grants and payments, the costs have gone up tremendously. For example, York regional government's taxation rose only seven per cent in the first year. That was 1971, election year, when they got a special payment of $750,000 that wasn't connected with any grant. It was the same year that Niagara region got a $1 million payment, Ottawa-Carleton got $250,000—

Mr. E. R. Good (Waterloo North): And $250,000 for Muskoka.

Mr. R. F. Nixon: And $250,000 for Muskoka, right.

In the year after regionalization the taxes went up only seven per cent, but the next year, 1972, they went up 38 per cent. That was when the special grants wore a bit thin, when there wasn't an election in the offing. Now the people in that regional government are very much concerned that the costs of

local government have changed, as their experience has shown.

Muskoka is a very special concern. The population is not as high as the guidelines would have called for, but in Muskoka the taxes rose 69 per cent in the year after regionalization, even though the special grants were payable.

An hon. member: Shame, shame.

Mr. G. Nixon (Dovercourt): The member is wrong.

Mr. F. S. Miller (Muskoka): He's wrong.

Interjections by hon. members.

Mr. R. F. Nixon: But the interesting thing is that in 1972, when the grants decreased, Muskoka's taxation rose a further 64 per cent; in other words they've gone up 177 per cent in two years. That is why, Mr. Speaker, the people who pay the taxes—

Mr. W. Hodgson (York North): What about the extra services they got in York?

Mr. R. F. Nixon: Extra services? They got the same old person back here in Queen's Park speaking for them. I wish there was something they could do about that.

Mr. D. M. Deacon (York Centre): There's nothing extra there!

Mr. W. Hodgson: If they have got the response.

Interjections by hon. member.

Mr. R. F. Nixon: If the people in York region felt that the services had gone up in measure with the increased taxes, maybe they wouldn't be so upset. But I'll say to you, Mr. Speaker, that the hon. member for York North is going to be defeated by this very issue, because the people are not going to stand for it. He won't be back again.

Interjections by hon. members.

Mr. W. Hodgson: The member for York Centre used to tell me about it too. He got 110 votes.

Interjections by hon. members.

Mr. E. Sargent (Grey-Bruce): We'll miss you, Bill.

Mr. Roy: Bye bye, Bill. Goodbye, Billy.

Mr. Deacon: He's going down with the ship.

Mr. Speaker: Order please.

Interjections by hon. members.

Mr. W. Hodgson: I wouldn't harp about it too much. The member might not get back in.

Mr. R. F. Nixon: This regional government programme has been made as palatable as the Treasurer could make it. Even in Haldimand-Norfolk he reversed his decision and allowed the rural areas to keep OPP coverage. He's put as much sugar on the pill as he possibly could. But he and I know that when the tax bills come in the first year and the second year, the people are going to be dumbfounded and dismayed; they are not going to see an increase in the services in any way commensurate with these increased costs, and it will contribute to the alienation that is going to mean the downfall of the government in those areas.

Hon. Mr. White: That is what George Bukator said.

Mr. R. F. Nixon: And I would suggest that that is one of the reasons why no regionalization has advanced into the London-Middlesex area so far, and probably it will not. Certainly, it hasn't come anywhere near Chatham. It's only been in those areas represented by some of the more innocuous back-bench members of the Conservative Party who didn't have the guts to fight against it.

An hon. member: Like Peel.

Mr. R. F. Nixon: Like Peel, yes. You're very helpful.

Interjections by hon. members.

An hon. member: And Halton.

Mr. R. F. Nixon: Well, Halton certainly falls into that category—both sides of it. What was it those signs said? "Snow Must Go." Yes, that's what the signs said that the teachers were carrying. "Snow Must Go."

Hon. Mr. Snow: Every spring the snow goes away.

Mr. R. F. Nixon: Just like the snows in spring.

Mr. Reid: Half the time we don't even know he's here.

Hon. Mr. Snow: Remember fall—especially in 1967 and 1971.

Mr. R. F. Nixon: Oh well, all right. There are about three other matteres that I want to just deal with—

Hon. Mr. Snow: That's what Blake said. Remember Bob Blake?

Mr. R. F. Nixon: Good fellow. He's getting his guns loaded again.

Hon. Mr. Snow: He won't be back.

Mr. R. F. Nixon: Oh yes.

Mr. Roy: It is three out of five anyway.

Mr. R. F. Nixon: Mr. Speaker, one of the issues of great concern that has been debated this session, and which does form a substantial part of the budget, has to do with the housing crisis. We have received a report from Mr. Comay. It's been criticized and discussed in the House. Mr. Comay has been brought into the public service and the Premier, in one of those far-reaching decisions of the type which impresses the people with putting a whole new thrust and initiative behind the solution to a crisis, appointed the policy secretary for human resources as Minister of Housing (Mr. Welch).

It has been a bit of a joke in the House that little or nothing has occurred since his appointment. The feeling in the community, while not directed against the minister in any way permanently or personally—either one would apply—has been that in the matter of housing, obviously some new person should have been brought in to lead a programme which is going to correlate the decisions of the Ministry of the Environment, the planning decisions, and the utilization of federal and provincial funds to do something about the situation which faces us as a continuing crisis.

The government's response has been completely ineffectual. The high costs continue and increase at their exponential rate. Young couples who are living in apartments have abandoned the thought of moving into their own home in the metropolitan area and are simply wondering how they can maintain the payment of the rents that go up so quickly. In the circumstances that they experience in Metropolitan Toronto and the other urban centres of this province, land is very slow to be serviced; interest rates are escalating in a way that is frightening, prices continue to go forward and upward; and the waiting lists even for subsidized housing and senior citizens' housing continue to grow.

We feel that more than anything else this as an issue was one of the reasons why we were victorious, and my colleague the member for St. George (Mrs. Campbell) was so effective in her campaign against all of the money and the strength and the influence of the Conservative Party – and the NDP which came a bad third—in the constituency of St. George.

As I recall, even the Globe and Mail was supporting both of the Conservative candidates in the by-elections, and why is difficult for me to ascertain. The Globe and Mail tends, when it comes to voting time, to have some sort of a reaction which always comes down to the support of the Tories. Under those circumstances, the metropolitan press—or at least that part of it—was supporting the Conservatives. But still, in the face of these urban issues, the people were not prepared to support the Conservatives, nor turn to the NDP. I believe that the by-elections were of substantial significance in that regard and I am proud of the victories achieved.

Interjections by hon. members.

Mr. R. F. Nixon: I had intended, Mr. Speaker, to comment at some length about the matter pertaining to urban transit. I am very concerned; my own experience in politics warns me about this.

The Treasurer and certain other people can recall some ringing denunciations I made in years past against our atomic energy programme. And I am quite sure that those of you who have a long enough memory to recall those arguments, will perhaps also recall some concern in the government itself, that their decisions to go forward were not based on anything other than the confidence they had in the experts of the Atomic Energy Commission of Canada and scientists.

We on this side, as well as everybody else, are delighted at how well these facilities are operating. I will tell you that we hope that the Minister of Energy is successful in selling a CANDU reactor to the British. But we have to face with some reality the programme that was put before us by the Premier and the Minister of Transportation and Communications (Mr. Carton) at the Science Centre just about a year ago now—actually a year ago on Nov. 22. I can remember very well attending the presentation—I'm glad to see the Minister of Transportation and Communication taking his place—

Mr. Roy: Did he hear the word "transportation" in the back alley? There he was, out in the back alley, and he heard "transportation."

Mr. Foulds: He's nothing if not mobile.

Mr. R. F. Nixon: He's not only mobile but he defends the GO-Urban programme about as effectively as it can be defended, not with facts but with the kind of—

Hon. Mr. Snow: Confidence.

Mr. R. F. Nixon: —friendly confidence that, I suppose—

Mr. R. D. Kennedy (Peel South): Knowledge and expertise.

Mr. R. F. Nixon: —in place of facts is about as good as you can get.

Interjections by hon. members.

Mr. R. F. Nixon: I don't know whether his luck will hold or not, but as has been expressed here—the leader of the NDP spoke in the estimates on this the other night. He reflected a view that is expressed by other people in the community, that they are not prepared to be nay-saying at every turn, particularly when a programme as imaginative as a magnetic-levitation, linear-induction motor programme is put before us, something that is going to be tested with $16 million at the Exhibition in 1975 and is going to be funded to the extent of $1.5 billion to $2 billion.

Well it is! That is what the minister said at the Science Centre. Why is he shaking his head? That's what he said.

Mr. E. J. Bounsall (Windsor West): The technology isn't there for that kind of confidence not as there was with CANDU.

Mr. R. F. Nixon: Would the minister care to contradict me?

Hon. G. R. Carton (Minister of Transportation and Communications): Well, Mr. Speaker, first I thought I had made this point clear over this past number of sessions. The $1.35 billion relates to the next 10 years and—

Mr. R. F. Nixon: Yes.

Hon. Mr. Carton: —the transit programmes across the province.

Mr. R. F. Nixon: I can recall that event at the Science Centre which was laid on by all the public relations flacks the minister could get together, and—

Mr. Singer: Cecil B. De Mille.

Mr. R. F. Nixon: —that would be let's say, about 10 for each ministry so that there would be about 230 there doing it.

I can remember there was one little chap standing on the corner named Crombie; he was running for something. Nobody thought he was going to be successful. I went over and chatted with him—we had quite a nice exchange of views—and there were a couple of other candidates there as well.

Mr. Roy: There was a repeat performance in Ottawa a month later.

Mr. R. F. Nixon: Yes, and I felt that from the very beginning that this concept, this magnetic levitation concept, had been wrapped up in a cocoon of sort of scientific mysticism that had been prepared by public relations people to assist the government in fending off any rational attack. It's true there was information brought forward on that occasion, if that's what one can call the slides and the voice-over comments showing the Minister of Transportation and Communications in California and at Disneyland and—no, at California, somebody else was at Disneyland—the Minister of Transportation and Communications in West Germany talking to the Krauss-Maffei people. There he was examining carefully and professionally, with his hand on the hardware—

Mr. Breithaupt: Kicking tires.

Mr. R. F. Nixon: Kicking the tires, yes—and the feeling that our own man had looked over the alternatives and had made a decision. But we are very concerned that the commitment made to the Krauss-Maffei concept is premature. I suppose it's quite—

Hon. Mr. Snow: That is what the member said about Pickering.

Mr. R. F. Nixon: All right, all right. And I'm saying it again.

Interjections by hon. members.

Mr. R. F. Nixon: I'm saying it again and I'll tell the minister this—if the government goes forward with the financial commitment, I hope to God I'm wrong, because I don't think the province could stand it if the government was wrong.

Hon. Mr. Snow: The member was wrong last year.

Mr. R. F. Nixon: I will tell the member this—that there are many people in this province and outside of this province who are not so committed to the concept put forward, particularly by the Premier and his Minister of Transportation and Communications; who are examining the facts that are available and

who have found certain facts that do not coincide. I will point out that there is a feeling that the commitment made to Krauss-Maffei, and particularly the experimental track at the CNE, is basically a political commitment; that in fact it's in response to the need that this government must show to the people, particularly in the northwest quadrant of Metropolitan Toronto, by 1975 that their transportation problems, which certainly will not be solved by then, but which will eventually be solved by these bullet cars travelling on a principle of magnetic levitation sort of thing, and nobody is in a position to criticize.

Mr. R. Haggerty (Welland South): What about Stan Randall's scheme?

Mr. R. F. Nixon: We are quite concerned, deeply concerned along with others, not just the TTC but other professional groups around the province, that the decision was based on something other than a hard-headed concept of the facts as they are available to the minister and at least partially available to others.

I'll tell you, Mr. Speaker, we've examined the alternatives fairly carefully. There was a time when we were quite prepared to criticize the granting of the contract to Krauss-Maffei because it appeared that substantial favouritism had been shown. While an argument can be made to support that, I think, essentially, as far as my assessment is concerned, the arguments put forward by Hawker Siddeley, which has a large base right here in Canada although it is an English firm, while they were strong ones, tended to be those which might be put forward by a company unsuccessful in its bid.

The company claims that the Ministry of Transportation and Communications did not set out its specifications in a fair and equitable way. The feelings of some people at least are that the decision was made that the Krauss-Maffei alternative was the best even before the specifications and the bids made on the specifications were compared. I'm not prepared to—

Hon. Mr. Carton: Mr. Speaker, may I interrupt the hon. Leader of the Opposition on a point of order? Does he have any indication from Hawker Siddeley to indicate exactly the argument he's putting forth? Because, on the contrary, I have the exact opposite argument from Hawker Siddeley; and if he'll get in touch with them they will so inform him.

Mr. R. F. Nixon: Yes, I think the minister should have listened to what I've said. I've said there was an argument put forward on that basis, but as far as my assessment is concerned I do not believe it is a worthy argument.

For example, there were implications made that the stations called for—three of them, I believe—at the CNE test track had not been described in the same way to all of the bidding companies. But as I've said, we've examined that and I'm not prepared to be particularly critical on this basis other than to say that the minister, in many of his pronouncements, has been in the position of defending the Krauss-Maffei alternative more on a basis of faith and the fact that there are people employed in his department who are working hard to make it work, rather than on a comparison of what has gone before.

It is true we are breaking new ground and for that reason the government deserves some credit. But it is interesting that no other jurisdiction that I'm aware of has made a commitment to this mode. Heidelberg, which was one of the centres the minister described himself, is doing only a feasibility study and has made a tremendous financial commitment to restocking its light rail facilities, as I believe they are called. This is a matter of some concern.

I did not want to let this opportunity go by without at least bringing to your attention, Mr. Speaker, the doubts that are in the minds of myself, as a non-professional, others who have spoken in this Legislature and certainly those who are professionals in this community. The reports of the TTC have been substantially critical and put forward the kinds of alternatives which the minister should be considering if he is concerned with rapid transit now—not five years from now nor eight years from now—and not if the magnetic levitation system does work.

We are concerned with the exceptionally high draw of energy the programme requires and I must say we are concerned to some extent with the aesthetics of the system. It is true that the concept which has come from the Ministry of Transportation and Communications, of the gracefully curved single guideway coming down through Don Mills, looks great. But when one looks at the requirements for the pillars on the curves and the fact they are going to have double guideways in most of that area; when one comes to stations and the great length involved and necessary, it is going to be an unsightly thing, a blot on the landscape. It will be.

All of the minister's predictions on costing and the transportation projections are cer-

tainly in question. While we wish him well—we wish all of us well in this regard—I feel, really, all that has been accomplished so far is the cutting down of 40 or 50 trees at Exhibition Park and that the commitment to having that thing run by 1975 is sheer, crass politics; that the government has made a commitment to this and it is going forward with it even before that thing is working.

We are concerned with that kind of a decision. Maybe the governmen t will be lucky; and we hope that it will be and we hope that it will be as successful as Pickering. And that we, in Ontario, in co-operation with the government of Canada, which seems to be anxious to get in on the deal now, we will be selling to every western jurisdiction and making a lot of money but—

Mr. Singer: We can sell them to Long Branch.

Mr. R. F. Nixon: But certainly the doubts that are expressed in the community must be reflected in the statements made by opposition parties here. I would not like the occasion to go by without indicating the doubts that I feel. There will be another occasion when I think I can be quite a bit more specific.

But the concept, or the base of my remarks tonight, is the fact that for all the government is attempting to repair the political damage resulting from their lack of judgement over the past two years, that there is a substantial alienation.

Maybe it's a political alienation—we will have to test that some time in 1975. But it is an alienation which is growing in the community. It is found in the rural areas—and I have talked aout that. It is right here in the city—and I have talked about that. But it can be found elsewhere.

The teachers—so there's only 106,000 of them and maybe the Premier has a piece of paper that he can take into caucus that will indicate that his polling organization tells him that 80 per cent of the citizens are on his side. But I would just warn you, Mr. Speaker, as a supporter of the Premier when you are not the impartial director of the affairs of this House, that those pollsters are wrong in this regard. The community sees this bill in a far different way than it might be seen by the Premier and those who have been so adamant in his support over the last few days.

We have heard about the north. My friend, the member for Thunder Bay, who is not in his seat just at this moment, makes many eloquent pleas for the north. The fact is that when politicians go up there we are asked: "What do you think about the move to separate into a new province?" Well, obviously we don't support it; and obviously it has only marginal support in the north—no significant support at all. But it is an emanation of the alienation of the people up there that is based on their feeling, which has been tried and true through many years and through many elections, that the Conservatives are interested in them only at election time and that in fact their future does not lie with the Conservative Party but elsewhere.

Well, I am not prepared to say where their alienation will lead them when they vote again. But we, as Liberals, are prepared to fight for their loyalty, because we believe that the north has not been well served in the past and must be better served in the future. We support anybody who says that the cost of living there can be balanced, that transportation can be improved, and that that invisible line that stretches across the French River should be removed and that the communities of the north—

Mr. Ferrier: They really haven't seen the Liberal leader very much in the north.

Mr. R. F. Nixon: —have every right to a standard of living at least as good as it is here in the south—and that this can be achieved.

Interjections by hon. members.

Mr. R. F. Nixon: Now we talk about the eastern part of the province. It's true there is only one NDP and one Liberal from the eastern part of the province. And yet you know and I know, those of you who have been in the east, there is an alienation there. There is a feeling that the Conservatives have been cynical in their political approach there. The Conservatives believe the people are going to vote Tory no matter what; it doesn't matter whether the roads are paved or whether the money goes in there for programmes to substantiate the economic need of eastern Ontario—it doesn't make any difference. This cynicism is evidenced in, finally, some work on Highway 417, although it was delayed during the last few months. But we can expect that it will be opened, or a large part of it, with fanfare come election year.

Mr. Singer: Spring of 1975.

Mr. R. F. Nixon: So there we find once again the approach, under the Premier's

leadership, to the political responsibilities of the province.

The Premier hasn't returned to the House and we must only presume that he is continuing his negotiations, because this has become a personal matter for him. He has taken it out of the hands of the Minister of Education. I say again that I regret the circumstances that have brought this to pass. I felt that the Premier did not sufficiently support the minister during the many months when adequate decisions could have been taken to move in a direction which would have allowed the boards and the teachers to continue with open bargaining and collective bargaining of the best type. But, no, the decisions were not taken.

The same is true in health policy. The Premier did not support his Minister of Health (Mr. Potter) but left him dangling there while he dealt so ineffectually with denturists and with the doctors and with the Scarborough General Hospital and with all of the other matters.

The hon. member for High Park this afternoon heaped praise on the Minister of Health and said that the mental institutions have improved tremendously during his tenure as minister. I am glad to hear that. I have not taken my responsibility to visit them as I should have so that I could compare it. I am glad to hear that at least in that area there is an improvement.

But we once again return to the prime responsibility, the responsibility that the Premier bears for the conduct of provincial business. While the ministers may be put in a position where they defend the decisions, yet in each case the Premier is the man who in the last analysis must defend the case, must bear the responsibility and must go to the people for their judgement.

Hon. Mr. Grossman: The Premier has never shirked that.

Mr. R. F. Nixon: He has had, and this is the burden of my remarks—

Mr. Bullbrook: He has gone from one crisis to another.

Mr. R. F. Nixon: In each one of these instances he has attempted to patch it over. He is now out there trying to patch it up with the teachers and come forward with some proposal which will permit him to withdraw the bill, if the teachers in return will agree to some sort of arbitration. You might call it voluntary, but in fact it would be compulsory. Perhaps they will be successful. In each one of these cases where there is, in fact, an outcome which is at least in part for the public good, as I have tried to point out, there is a residue of alienation of such proportion that I sometimes wonder who is going to be left to vote for any of the Tories in 1975 except for the Treasurer's in-laws. I understand that they are going to vote for him.

Mr. S. Lewis (Scarborough West): There are a lot of them.

Mr. R. F. Nixon: It is a strange matter when we see this party after 30 years coming under the direction that is based on such bad judgement, and I use the word again, cynicism of almost frightening proportions, that we have observed during this session particularly.

In closing, I want to raise a matter of perhaps no great import, but it is based on my own experience since coming into the Legislature on Jan. 15, 1962. As we approach, let's say the down-hill side toward an election, and we are just going over the watershed now, the government seems to think that it has the right to use public funds to advertise its position to the taxpayers and the electorate of the province.

Mr. Roy: There is an abuse.

Mr. R. F. Nixon: This really does concern me, because I believe in matters where the public should be informed by the government, there is every justification for using funds for this purpose. I think probably one of the best examples was in the amendments to the Landlord and Tenant Act a couple of years ago. There was no way that the thousands of tenants in this province would have been informed of their rights except through public advertising. There were a few small ads at that time, but nothing like the full page ads that we saw before the election of 1963. Bob Macaulay was the author. You remember the hippopotamus and all that stuff on every billboard in the province.

In 1967 there was the same approach with the announcement of GO Transit, although the trains weren't running yet. Every billboard in the province had that beautiful green logo and everybody thought the trains were here. Do you remember, Mr. Speaker, John Robarts on television with the blackboard with Medicare: Done? All of that stuff was: Done!

In fact it was not, but the people through their own tax resources paid for the advertising which in a great measure put forward

the government's programme, and particularly the programme of the Progressive Conservative Party.

In 1971 it was the same. And now again we start off here small. The Treasurer is the guy that authorized this. He hasn't got his glasses on. It says, "See the Ontario of Tomorrow Today; Place: St. Lawrence Hall; Time: Thursday, November 29, Presentation of the Ministry of Treasury. Hon. John White, Minister. See the Ontario of Tomorrow Today."

The ad is a cloud the size of a man's hand. I can see the public funds. It will be this year $800,000; next year probably a couple of million; and probably in the last six months at the rate of $500,000 a month, with a full page ad selling the government to the people of the province.

Interjections by hon. members.

Mr. Bullbrook: That is true abuse.

Mr. R. F. Nixon: I believe that it is a true abuse. While I may be oversensitized in this regard, being now I suppose in some regards an oldtimer, I simply want to say to you, Mr. Speaker, that this must not be allowed to happen. We will not criticize the government if it is informing the public as to their rights, and changes in legislation that deal with them specifically. But if the government thinks it is going to use public money simply to expand the position of the government and the Progressive Conservative Party, it will be making a serious mistake.

I see the leader of the NDP has returned and I know he wants to complete his remarks this evening.

I feel, Mr. Speaker, that this session has been a significant one. I have referred to the budget and the fact that the finances of the province are in seriously bad shape. It may be in the months that lie ahead the Treasurer is going to have more success with the government of Canada than he or his predecessors have had. I will tell the House that essentially the responsibility is for this government to raise the taxes to pay for its programmes. That is a responsibility which he is going to have to face.

When I look at the amendment we put forward many months ago it is still a substantial one and a significant one. My colleague, the hon. member for Kitchener, made a motion, seconded by me, dealing with the increase in the sales tax and particularly the imposition of the seven per cent energy tax. That was withdrawn but the sales tax continues and we are in the position of being the only province in Canada which has, as its main source of revenue, the sales tax. This tells the whole story of the Conservative attitude and the philosophy which governs the financing of this province.

We refer to the problems of housing which still have not been solved by the formation of a new department and the appointment of a minister who, albeit a good friend and an able man in this House, is essentially a retread. He is a man who cannot give the new approach to this particular emergent situation which it demands.

We refer to the problems of northern Ontario and other areas. I would suggest to you, Mr. Speaker, that this amendment is worthy of support.

There will be a subamendment discussed later but we lived through a very important political year—for the Conservatives; the NDP; and for ourselves, the official opposition. The government feels it is now in a position to bring forward those happy aspects of legislation which it trusts will lead to its re-election.

I would say to you, Mr. Speaker, and to the members of the House and anyone else who would be listening, that the Tories' record of bad judgement and maladministration has alienated the people of this province to the extent that if an election were held now they would go down to defeat.

Interjections by hon. members.

Hon. Mr. White: The member is indulging in wishful thinking!

Mr. R. F. Nixon: The record of the by-elections in March of this year indicate that the people are looking to the Liberal Party as the viable alternative.

Interjections by hon. members.

Mr. R. F. Nixon: Our leadership convention was hard fought and I am proud to have won it.

Hon. Mr. White: It was a close squeak.

Mr. R. F. Nixon: I would say to you, Mr. Speaker, with the support of my colleagues in the House and the people of this province I intend to become Premier, but only because we deserve to take on the responsibility of the government of this province because our people offer an alternative—

Hon. Mr. White: I notice that the new deputy leader cannot stand it. He has walked out.

Mr. R. F. Nixon: Our policies are new and they meet the needs of this province at this time.

Interjections by hon. members.

Hon. W. A. Stewart (Minister of Agriculture and Food): He walked out on his leader.

Mr. R. F. Nixon: I say to you, Mr. Speaker, that our amendment deserves support and I am confident it will receive it.

Mr. E. M. Havrot (Timiskaming): The fearless tiger has spoken.

Mr. Speaker: As agreed by the Speaker before he left the chair at 6 o'clock, I now call on the hon. member for Scarborough West.

Mr. Lewis: I would like to thank the Chair for showing that particular indulgence, Mr. Speaker, and the House and particularly the Leader of the Opposition for indicating, I gather from my colleagues, that he wouldn't mind.

Mr. R. F. Nixon: The member for Scarborough West is going to have to sit here at Christmas.

Mr. Lewis: That is all right. I offered that reciprocity as a matter of fact.

I must say I listened to the Leader of the Opposition—I almost always enjoy listening to the Leader of the Opposition when he speaks. When he said: "I intend to become Premier" I thought to myself, if only repetition in this chamber would achieve the goal. But I have a feeling that it may take more than that for either of us to become Premier.

An hon. member: That's right.

Mr. Lewis: I say it from time to time, more often to myself I think, as a kind of expression of wish fulfillment.

Interjections by hon. member.

Mr. Lewis: Well, every time I talk to myself I get a more or less learned response, and I feel reassured.

An hon. member: He's a good listener.

Interjections by hon. members.

Mr. Lewis: While I see, of course—

Interjections by hon. members.

Mr. Lewis: Well, I get some pretty good repartee.

While I see the Tories in disarray all around me, I am not entirely sanguine about their immediate capitulation to the electorial whims. But I'll make some friendly and gracious comments about that just before winding up.

When I left I was quietly, and almost somnambulantly in the minds of some reading some agricultural material into the record. I gather that the Leader of the Opposition made the point that most of the class 1 agricultural land was remaining in production; and that in fact the levels of productivity, despite the loss of such land as was going out of production in Ontario, were remaining pretty well the same.

About the class 1-A land; I do want to point out that when I mentioned the improved farmland—much of which is class 1 agricultural land—I did point out that the drop between 1966 and 1973 was something in the vicinity of 1,600,000 acres, a drop of over 13 per cent.

That seems to me to be very significant, and we shouldn't be quite as confident about the maintenance in production of class 1 agricultural land as perhaps has been stated.

But more important, Mr. Speaker, and I think this is the crux of the argument in a sense, is that the land going out of production, which is described as class 1 agricultural land, is not merely the natural process of farmers going into retirement, of urban and hobby farmer encroachment on the land; it is much more a matter of government policy.

If you look at the composition of the 43,000 acres designated initially for the airport and Cedarwood, you find that the great majority of it is class 1 agricultural land. So as a matter of social policy, berserk though it may have been, the government intended to take that land out of production. When you look at the land that is going out of production in the Niagara fruitbelt as a result of the government's willingness to allow the federal government to bear the responsibility totally for the Niagara fruitlands, you'll find that is class 1 agricultural land going out of production.

When you project what is going to happen in Haldimand-Norfolk, then again class 1 agricultural will be going out of production as a result of deliberate economic decisions on the part of this government.

So it's not just the process of natural selection, if I can use that term, it's a process also of deliberate policy-making; and that's why, when you add the destruction

of farmland generally by perverse social policy to the trends I describe, the situation I would think has reached critical proportions.

However, I said I wanted to try to document it, and I'm going to continue to document it, stubbornly perhaps, belligerently perhaps, but I'm going to—

Mr. Roy: That research shouldn't go to waste.

Mr. Lewis: Pardon?

Mr. Roy: That research shouldn't go to waste.

Mr. Lewis: Well, it shouldn't go to waste. It's not far from the member's bailiwick.

Mr. Roy: That's right.

Mr. Lewis: It's central to eastern Ontario. It has in its own way a strange and kind of depressing fascination.

I refer to the third concession road in Lochiel township in the county of Glengarry. Let me tell you now about the ninth concession road in Lancaster in Glengarry county. And again I will read east to west, I guess. I'm not sure of my directions. I'll give you this little recitation of what is happening on the farms in that area:

One hundred acres, owner works at Alexandria, bought in 1972, no longer in production. One hundred acres, owner lives in Montreal, weekend user. Two hundred acres, owner lives in Montreal, land now rented for dairy pasture. One hundred acres, owner farmer, dairy, with 30 cows, sons 19 and 21 want to farm, both are working in a bakery in Alexandria because they don't see that there's any potential for them on the farm.

One hundred acres, owner farmer, not producing, retired. One hundred acres, owner hobby farmer. Two hundred acres, owner lives in Montreal, sold in 1969, out of production, was a dairy farm. One hundred and fifty acres, owner pilot in Montreal, pasture is rented to a farmer, sold in 1972, it was a dairy farm before with 25 cows. One hundred acres, owner lives in Montreal, was a dairy farm before 1972.

One hundred acres, owner is a farmer, retired, land out of production. One hundred acres, ownership is local, out of production, it was bought in 1971, prior to that it was a dairy farm. One hundred acres, owner is a local owner, out of production, bought in 1971. One hundred acres, owner lives in Montreal, bought in 1973, was a dairy farm, 25 cows, out of production.

One hundred acres, owner a retired farmer, was a dairy farm two to three years ago. One hundred acres, owner lives in Montreal, bought in December, 1972, before that it was a dairy farm, 20 to 25 cows. One hundred acres, owner is a Montreal hobby farmer, bought at the end of the 1960s, used to be a dairy farm with 20 to 30 cows. One hundred acres, owner is local, was part of dairy farm three years ago; another large lapse of two 100-acre properties off concession 8, both bought within the last year, land was not farmed this year, was a dairy with 30 cows before that. Fifty acres, owners in Montreal, bought six years ago, taken out of production. One hundred acres, owner is a farmer now working in Cornwall, had a dairy farm as late as 1969. One hundred acres, owner is a farmer, now working in Montreal, now grows hay, was a dairy farm before.

Two hundred acres, owner works in Cornwall, rented for pasture, before it was a dairy farm. Two hundred acres, owner works in Montreal, bought in 1971, was a dairy farm with 30 cows. Two hundred acres, owner, businessman in Monreal—there's a note here that the wife teaches at McGill. I am not at all sure what that demonstrates except that I have elitist researchers—bought in 1972, was previously owned by three different farmers, only used for pasture in the last year or two, before that it was a dairy farm with—it doesn't say how many cows on that farm.

One hundred acres, owner lives in Montreal, owner idle since the land changed hands. One hundred acres, owner, farmer who wants to retire, has a dairy farm with 20 cows, land for sale; one good prospect so far is a pilot from Montreal.

Mr. Speaker, I put that on the record as a generalized pattern of what is happening in one major county in eastern Ontario and a couple of township concession roads, chosen on the advice of farm leadership in the area who felt these were relatively representative concession roads and felt that the pattern there was indicative throughout the entire county. I want to tell you, Mr. Speaker, although it is hard to animate the Legislature of the Province of Ontario in the dying hours—maybe they aren't the dying hours—at this point in time around this kind of issue, the move to land going out of production is positively irresistible, and there is no social policy to reverse it.

To say that the productivity remains fairly stable for the moment—and it only does in certain product areas and not all—and to say that class 1 agricultural land isn't going out

of production as quickly as class 2 or class 3 is to miss the point, because there is tremendous anxiety in the entire farm community. They see the walls closing in around them. The farm community has considerable respect for the Minister of Agriculture and Food himself. I haven't had many confrontations with the Minister of Agriculture and Food in this House since I came in 10 years ago. I haven't had all that much that I can be knowledgeable on to debate about with him.

Mr. D. R. Irvine (Grenville-Dundas): The member is smart. Stay away from him.

Mr. Lewis: Maybe the member is right about those asides. I am willing to acknowledge that, when I go, as I did a couple of weeks ago, to the Ontario Federation of Agriculture convention, and spend a little time at the end of the afternoon one day, listening to some resolutions and meet with Gordon Hill for a while afterwards before the banquet in the evening. His words and those of the federation mirror what is true, a respect for the fact that the Minister of Agriculture and Food understands the agricultural situation, that in a variety of ways he has endeavoured to improve it, but that latterly, within the last year or two, something has gone wrong. They are not sure what it is and they are kind of bewildered about it. Maybe it is a reflection of decreasing cabinet support for rural life and it has come to that as well.

Mr. MacBeth: Federal policy.

Mr. Lewis: Maybe it is federal Liberal policy to some extent, although I would have felt that wouldn't intrude on it very much. I must say that the farm community is losing confidence in the government in a way which is dramatic, in a way which is significant.

Interjection by an hon. member.

Mr. Lewis: I can't help but find that whenever I travel people always draw to my attention this same theme of land going out of production. I was recently in the riding of the member for Grenville-Dundas. I went down there to rescue him.

Mr. Irvine: Come again any time. The member hasn't got any NDP there and he knows it.

Interjections by hon. members.

Mr. Lewis: He had a serious strike in Cardinal, Mr. Speaker, at Canada Starch, and I went down there, I guess it was on a Friday. The strike had been going on for four months, as I recall, and I spoke to the workers on Friday noon and the strike was settled Saturday afternoon.

Mr. Irvine: Intimidation.

Mr. Roy: What did the member tell them?

Mr. Lewis: As a matter of fact that is a true sequence of events, as astonishing to me as it is to the member. I saw the cause and effect and clearly the member for Grenville-Dundas didn't.

Hon. Mr. Grossman: They didn't want to hear the member for Scarborough West speak again.

Mr. J. A. Renwick (Riverdale): It is a recurrent pattern.

Mr. Lewis: It is a recurrent pattern.

Mr. Renwick: The leader of this party is the Deputy Minister of Labour.

Interjections by hon. members.

Hon. Mr. Grossman: One speech from the member and they had had enough.

Mr. Lewis: It is a recurrent pattern. Maybe my speaking drives them to a settlement. That may have been so, in which case, send me around to every labour dispute.

As a matter of fact, Mr. Speaker, through the course of this session my colleagues, being egalitarians, haven't paid as much tribute to leadership as they should have perhaps. My egocentricity hasn't been satisfied.

Let me tell the House about some other labour disputes now that the Minister of Labour is here. I was in Ingersoll on a Friday and I spoke to the workers out on the picket line at the Borden's plant. On Tuesday the strike was settled. Again, it was cause and effect.

Mr. Roy: What did he tell them?

Mr. Bounsall: Let the Minister of Labour put him on salary.

Interjections by hon. members.

Mr. Lewis: And I think that is rather important. I went up to Fort Frances, after that strike was on for 4½ months.

Mr. Roy: Oh, don't take credit away from the member for Rainy River.

Mr. Lewis: I'll settle with the member for Rainy River. I talked to him in the House. I knew he was back there dealing with it. I

saw what he had done during that strike. There were little notices on the strike headquarters wall from the member for Rainy River. They said to the members of the union they are not entitled to any welfare benefits and they are not entitled to any unemployment insurance benefits. The member for Rainy River told them what they weren't entitled to. I saw that when I was up there. There were little framed notes on the walls of the strike headquarters.

I spoke amiably to the workers. As a matter of fact, I came back and spoke amiably to the minister. As a matter of fact, if he will recall we closeted ourselves in the murky corridors outside this chamber, he and the deputy.

Mr. Renwick: That is very interesting. The minister is agreeing totally with these remarks.

Mr. Lewis: We talked about a memorandum of agreement. That was on Friday at 1 o'clock. On Sunday the strike was settled. Very, very interesting. There was another one that I can't recall. How is that?

Mr. Renwick: The minister nods his head again.

Mr. R. F. Nixon: It was Artistic Woodwork?

Mr. Lewis: How could it be that I forgot one?

Interjections by hon. members.

Mr. Lewis: I agree about that.

Mr. R. F. Nixon: Wasn't it Texpack?

Mr. Lewis: No, I don't think so. I don't want to take undue credit. However, I would like the consultant's fee I talked to the minister about, and preferably at the going rate of $500 per diem.

Mr. R. F. Nixon: They're going to fine the member too.

Mr. Lewis: Well, as the Treasurer said of me but I won't repeat it, "You find me a strike, I'll find the picket line."

If I may, Mr. Speaker, return to the central matter, now that I have so rudely interrupted myself, I want to go back to the fact that wherever I travel as a politician in the rural parts of the province, the question of agricultural land keeps being driven home to me.

In the month of October, when I was in the seat of the parliamentary assistant to the provincial Treasurer, the member for Grenville-Dundas, there came to my attention a remarkable little study done over the summer on Dundas county.

Mr. Irvine: A great county.

Mr. Lewis: It was under an Opportunities for Youth project – a rather good one, in fact; it's one of the better studies I have seen. The title of the study is "Vanishing Rural Community." I want to put some of it on the record because again I think it is worth putting on the record. I'm quoting from the background to the study:

> Dundas is a relatively small county in southeastern Ontario. It has an area of 348 sq mi. Almost all of the land has been classified as suitable for agriculture by the Canada Land Inventory. In 1881, the census reported 20,598 in the county. The population at the 1971 census was 17,457.

That's really quite remarkable, that between 1881 and 1971 the population should have declined by 3,000.

Mr. Irvine: We are small but we are mighty.

Mr. Lewis: It is because it has been represented almost exclusively by Conservatives.

Mr. W. Newman: It's about time the member realized the Tory stand.

Mr. Eaton: Why has the population of Saskatchewan dropped?

Mr. Lewis: Again, there is a direct consequence—

Interjections by hon. members.

Mr. Lewis: To continue:

> The composition of the rural population has also changed. In 1941, the population on the farm was the most numerous. By 1971, the rural non-farm population was the dominant segment.

Perhaps while the Minister of Labour is here, I can read from the section called "Life on the Farm":

> Of the farmers interviewed 96.5 per cent said they worked 12 to 15 hours a day in the summer, seven days a week. That would be four to seven hours a day more than the average urban worker and without overtime.
>
> In winter, 51.4 per cent worked 12 to 15 hours a day; 41.5 per cent worked eight to 10 hours a day; and 7.1 per cent five

hours a day, usually five to six days a week.

Of the farmers' wives interviewed, 67 per cent worked 12 hours a day; 33 per cent worked six to 14 hours a day; and both groups worked six to seven days a week, summer and winter.

Of farm children, 48 per cent worked eight hours a day; 40 per cent worked 12 hours a day, and these hours represent a savings of energy, time and money for the family. Another 12 per cent worked six hours a day because they are too young to do much work. Over all, 46 [well, that's an irrelevant statistic.]

Most farmers – 86 per cent – said they would rather live on the farm than work an eight-hour day and receive a fixed wage. Their main reason – 51 per cent – being that they liked to be their own boss; many – 24 per cent – said they farmed because of their own interests and it is a good place to raise children away from urban pollution and traffic. Another 25 per cent consider farming a way of life they don't want to see destroyed. Many said they would like a weekend off now and then and would appreciate more money for the work they do.

Mr. Irvine: Read the last sentence. All of them said they wanted a Conservative government.

Mr. Lewis: No, as a matter of fact the last sentence, slightly embroidered, said that they hoped that political change would effect social change.

Mr. W. Newman: The member for Scarborough West wrote that postscript. Only he wrote the postscript.

An hon. member: Oh, shame.

Mr. Lewis: Now, if I may, the rural urban population structure in Dundas county was 71 per cent—sorry, I am not quoting the right figures. In 1971 it was 63 per cent rural and 37 per cent urban, which is a continuing rural decline.

The study has a number of other interesting items and I am not going to read them all. Government policy—

Mr. W. Newman: I think most of those people know how to vote down there and they are right.

Mr. Lewis: I want to say something to the member for Ontario South, as a matter of fact, because this relates centrally to what I am talking about and through you, Mr. Speaker, I am going to say it to him without any particular—

Mr. F. Laughren (Nickel Belt): Malice?

Mr. Lewis: —malice at all. Thank you, I am having difficulty, and I am glad I am being rescued.

I want to say to the member for Ontario South—

Mr. W. Newman: Yes?

Mr. Lewis: —that the deliberate destruction of small villages like Cedarwood and Whitevale and several of the others—

Mr. W. Newman: Name them.

Mr. Lewis: Just a second.

Mr. W. Newman: He doesn't even know what those villages are—name them.

Mr. Lewis: I have.

Mr. W. Newman: He hasn't named them at all. He doesn't know what he is talking about.

Mr. Ferrier: Listen!

Mr. Lewis: And the determination to build Cedarwood, whether in its original concept of 25,000 acres or the strategic retreat concept of 15,000 acres, has lost the member for Ontario South so many votees that he cannot now be re-elected. He cannot now be re-elected.

Mr. W. Newman: The member can't even name the communities which want to be saved because he doesn't know.

Interjections by hon. members.

Mr. Ferrier: The member for Ontario South is trying to defend the indefensible.

Mr. Lewis: It's hard for me to concentrate on my delivery, Mr. Speaker, because leaning against the members' rail directly across from me is the provincial Treasurer engaging in facial contortions expressing brief dismay and trauma, mostly trauma. May I say to him that if he feels he wants an appreciative audience I suggest he take his seat in the front row and try it there or better still—

Mr. W. Newman: If the member lived in my riding—

Mr. Lewis: —my very young children would enjoy him—enjoy him immensely. It's

extremely grotesque; I can't put it on paper. I want to tell the member for Ontario South that even his Tory supporters are writing the Premier in dismay about the policy toward Cedarwood.

Interjection by an hon. member.

Mr. Lewis: That's right, my colleague from Nickel Belt who collects letters from Timiskaming to Whitby—

Mr. Eaton: He writes them to himself.

Mr. W. Newman: The member gets copies. We know that.

Mr. Lewis: Of course I get copies.

Mr. W. Newman: We know you get copies.

Mr. Lewis: I get copies from people who say, "Why are you, as Tories, destroying agricultural land in Ontario county?"

Mr. W. Newman: Because with the member's help we don't need fertilizers.

Mr. Lewis: Right. The record will show the response from the member.

Mr. W. Newman: Sure it will show and the record will show—don't bait me.

Mr. Lewis: I've never felt badly when Tories lose seats and he has given us that riding. There is no way he can hold that riding now. Never.

Interjections by hon. members.

Mr. W. Newman: Why doesn't the member put his money where his mouth is?

Mr. Lewis: Considering the very modest increase he's had recently, I wouldn't want to take it from him.

Interjections by hon. members.

Mr. Lewis: Mr. Speaker, may I go to the section—

Interjection by an hon. member.

Mr. Lewis: —on government policy? Actually, most of the members should be appreciative of this effort on my part, halting though it may be.

Some hon. members: We are.

Mr. Lewis: Because I'm beating time for the Premier who at the moment is closeted with the teachers in an effort to reach a settlement. I know, just by standing here, that he would wish me to proceed so that he can buy time.

Interjections by hon. members.

Mr. P. D. Lawlor (Lakeshore): See how accommodating we are?

Mr. Lewis: Do members know where he is closeted? He is closeted at the Royal York. Can members imagine a settlement coming out of the Royal York? I would have thought the Westbury at least.

Interjections by hon. members.

Mr. Lewis: Mr. Speaker, under the heading "Government Policy" and starting with the section on farm opinion it says:

> There was very little response by the farm population to the question on government policy. The only mention of a general agricultural policy was one concerning cheap food. This, of course, was criticized.
>
> The majority of farmers stated that government policy had done nothing to halt rural depopulation.
>
> There was a separate question on the aid given to farmers in Dundas county after last year's rains. Most farmers were bitter and the pittance they received was often referred to as an insult or a joke. Farmers were given $400 regardless of size or how badly they were affected. They also received $2 for every ton of winterfeed they had to buy. When farmers were paying almost $100 a ton the inadequacy of the subsidy is obvious.

Under the heading "Current Trends in Agriculture," the following is included in the report:

> Most organizations involved in agricultural problems concentrate on the adjustments that the farmers must make. In the dairy industry this means that the small producer will be phased out. Some medium-sized producers will be able to expand and modernize, the rest will go under. As soon as all dairy farmers become large commercial operations the industry as a whole will prosper.
>
> Efficient management, modern technology and the economies of scale will lead to increased productivity and lower per unit cost, therefore making forward trends possible. Some organizations such as the OMMB would also increase prices paid for farm products.
>
> The figure most often quoted for a viable farm is 30 cows. Taking this viewpoint into consideration it is not surprising to find that the government approves of the current decline in the farm population.

I must say I agree with that analysis in the report. I agree with it more, having met with the leadership of the Ontario Milk Marketing Board in the last little while. A number of colleagues and myself, I guess—was the member for Lakeshore there that night? The member for York South was there, the member for Riverdale was there, the member for Port Arthur was there, the member for Ottawa Centre was there, and I was there one afternoon—

Mr. G. Nixon: Great dairy farmers.

Mr. Lewis: One afternoon—

Mr. Renwick: Of course, from Riverdale.

Mr. W. Newman: All dairy farmers. The member for Riverdale makes a great one.

Mr. Lewis: I want to tell the member something, whether or not we were dairy farmers, it was—what?—a couple of months ago now.

Mr. Renwick: Yes.

Mr. Lewis: And McLaughlin of the OMMB told us as we left—and this struck me as interesting—it was first time in the OMMB's history that a political party had entered their board room to talk with them about the policies of the OMMB.

Mr. W. Newman: That is not true.

Mr. Eaton: Because we already know the policy.

Mr. Lewis: I found that interesting. I found that in an official way—

Mr. W. Newman: Don't start giving me that nonsense.

Mr. Eaton: Just because the rest of us know the policy.

Mr. Lewis: The member is just a strident, apoplectic voice. He is not a party. Now I found it kind of interesting, Mr. Speaker, that when we spent the afternoon—something close to three hours—with the Ontario Milk Marketing Board, it became clear that they were following the mechanical role of implementing government policy and they say no responsibility for the declining rural population and agricultural productivity throughout the province.

As we looked further into this study of Dundas county—

Mr. Eaton: Productivity is declining.

Mr. Lewis: Yes, productivity is declining in certain areas. I'll come to that. As a matter of fact, I'll come to many things—including Highway 402. I could speak for two or three days, but I'm not going to. But I'm going to get to 402 before this debate is over.

Under this report, Mr. Speaker, under "Size and Number of Farms," it points out the rate of farm loss is accelerating. Dundas county lost more farms in the Sixties—377—than it did in the Fifties—322. Between 1966 and 1971 there was a net loss of 255 farms.

Now, let me tell you what table No. 8 of this study shows. Farms and farmland in Dundas county, 1951 to 1971: Census farms in 1951—1,881; in 1971—1,182. Of that, commercial farms 1,262 in 1961; 893 in 1971. Commercial dairy farms, 1,082 in 1961; 703 in 1971. The decline in farm population has dropped from 10,000 to below 5,000 in the same period of time.

Mr. W. Newman: What is the production? Give us the production figures.

Mr. Lewis: Farm auction sales, Mr. Speaker, in 1968 totalled 28; in 1972 totalled 70. The total to July of 1973 was already 61. The pattern of rural decline in Dundas county proceeds apace. And then there is a little note on land values.

> According to an ARDA representative and a local real estate agent, the value of agricultural land is rising rapidly. Land speculation in rural areas has become a profitable business. City people are buying up country homes and can usually afford to pay higher prices for them.
>
> The closer you get to Ottawa, the higher the cost of land. Farmland within 50 to 20 miles of Ottawa has been selling for $1,000 an acre. No farmer can afford to expand at these prices. Around Winchester, land is now averaging $200 per acre. If it has good buildings and tile drainage, it can run as high as $500 per acre.
>
> ARDA cannot help because the land is priced above their $150 per acre ceiling.

Under "Farm Income," he points out that the farm income pattern again is one of steady decline. Now, the government may make the argument of maintenance of productivity. What the devil is the use of maintaining productivity if the decline in farm income continues to be sufficiently severe that people are gradually and irresistibly driven off the land?

Mr. W. Newman: The member wants it both ways—

Mr. Lewis: Who is that anyway? Good Lord!

Mr. W. Newman: He wants higher prices for the farmer and lower prices for the consumer. We are not stupid. We don't buy the NDP programmes.

Mr. Foulds: There's one productivity factor that isn't increasing, and that's the member's brain power.

Mr. Stokes: Somebody has brainwashed him with an eye dropper.

Mr. Lewis: As a matter of fact, it filled the entire inner cavity.

Mr. W. Newman: A big one to fill.

Mr. Lewis: Mr. Speaker, that was mean. I apologize. It's the end of the session.

Mr. McIlveen: The member is coming back to his old self.

Mr. Lewis: Am I coming back to my old self? I will re-emerge from my present cocoon and be as moderate as always.

Under the heading of "Farm Income," they refer to the Henry Noble study recently undertaken in Dundas—and this was really rather interesting, given the pattern in eastern Ontario:

> The average gross farm income of the farmers interviewed was $27,703, average total operating expenses came to $23,265, leaving the farmer with an average net income of $4,438.

Mr. W. Newman: The member sounds jealous.

Mr. Lewis: How in God's name does the government expect to prevent rural decline and land going out of production in Dundas county with that kind of figure?

The trends in profits in Dundas county for 1972, Mr. Speaker, show that 47 per cent of the farmers with farms of more than 200 acres reported a decline in profit while 58 per cent of those with farms of less than 200 acres reported a decline in profit.

On the average farm in that county, capital investment was $168,592, but the return on that investment was 2.87 per cent per farm with nothing to show for labour, risk or management.

Mr. Eaton: And then the members opposite complain—

Mr. Lewis: No wonder young people aren't attracted to farming.

Mr. Martel: The government members defend the chains all the time.

Mr. Lewis: I must say, this whole study is such a massive indictment of the agricultural situation in this province that there's really no way of retrieving it. And I dare say, Mr. Speaker, that you could apply the title of this study, "Vanishing Rural Community," to every single county in the province. The government can be as blessedly indifferent and as frolicsome in its reply as it wants, but the fact remains that under the Conservative government in this province there is a systematic and calculated policy to drive agricultural land out of production and to destroy rural communities. That is absolutely so. And I have documented it on the basis of the overall figures—

Mr. W. Newman: Does the member know that there is no one farmer overall?

Mr. Lewis: —I have documented it on the basis of the samples in Glengarry county. I have documented it on the basis of Dundas—

Mr. W. Newman: Has the member talked to the farmers? Has he talked to the farmers in Ontario?

An hon. member: Shut up.

Mr. Lewis: Have I talked to farmers?

Interjections by hon. members.

Mr. Speaker: Order. The hon. member for Scarborough West has the floor.

Mr. W. Newman: Sorry, Mr. Speaker.

Mr. Lewis: I am being challenged as to whether I have talked to the farmers.

Mr. W. Newman: Yes.

Mr. Lewis: Let me tell the hon. member something calmly, if that's possible for him and me. Three weeks ago in a little farmhouse outside Picton, I met one Saturday morning with 20 to 25 farmers representative of the entire area, half of them from the Federation of Agriculture, half of them from the farm union. We discussed all matters relating to farm policy and the conclusive feeling of all of them was that the government has betrayed them at this point, neglected them at this point and that the most serious problem is agricultural land going out of production.

At the end of September, Mr. Speaker, my colleague from Ottawa Centre and I, in the little village of Cobden, sat down for lunch

in an Anglican church on a Thursday afternoon with 25 area farmers. The meeting was chaired by the area vice-president of the Ontario Federation of Agriculture. The federation agricultural representative was at the meeting. The four members of the executive of the farm union were at the meeting. The wives were at the meeting. And over the course of an hour and a half, with as representative a group of the farm community in Renfrew that you would ever want to bring together, they analysed the way in which agricultural land was going out of production.

Let me go further, Mr. Speaker. Three weeks ago in Belleville I met with a number of farmers, one afternoon on the weekend—farmers from the federation, farmers from the farm union. Again the pattern was repeated; the same kind of consistent scene.

Five or six weeks ago in Alexandria—ironically and exotically enough in the Alexandria Pizzeria—I met with representatives of the federation and the farm union from the entire area. And again, the refrain was the same: Agricultural land going out of production. Again the refrain was the same. "We can't maintain a viable family farm."

The member asks me if I talked to the farmers. I have systematically and conscientiously talked with farmers across this province.

Mr. W. Newman: Yes, and the member still hasn't answered my question.

Mr. Stokes: Call that cowboy to order.

Mr. Lewis: Mr. Speaker, I'm glad to put some of that on the record, because as a matter of fact I have learned—

Mr. W. Newman: He hasn't done it.

Mr. Lawlor: Ignore him.

Mr. Lewis: I am trying to. I have learned a great deal from the farm groups with whom I've met, much more than I knew in the previous several years, and it was because—

Interjection by an hon. member.

Mr. Lewis: —I did meet with those farm groups, Mr. Speaker, that I decided to have this particular research done and that I decided to begin to explore it more fully myself.

Obviously there is going to be a real problem in communication. There is a certain philosophic difference here. It is clear that—

Mr. Irvine: They don't like to see the member.

Mr. Lewis: It is clear that the urban fetishists in the Conservative Party have taken control, and that the consequence of that control is the loss of agricultural land and the destruction of small communities. Because again, all over Ontario, whether it is Elmira on the one hand or a small village in eastern Ontario on the other, the fact of the matter is that there is great anxiety about the preservation of community life, of rural life. There is a sense that whether it is the focus on Queen's Park, or whether it is regional government, or whether it is the Metro Toronto-centred region and the way in which we use it as a benchmark for everything else in Ontario, this party now in power, the Conservative Party, has betrayed the agricultural and rural communities.

Mr. W. Newman: He wants it both ways. He wants it both ways. And a high price for the farms.

Mr. Speaker: Order, order.

Mr. Lewis: Did the member for Ontario South want to speak, because he is perfectly—

Mr. W. Newman: I'd like to speak, but I can't.

Mr. Speaker: Order.

Mr. Lewis: Well he can follow me.

An hon. member: We recognize him.

Mr. Deans: He can't speak? What does he call what he is doing now?

Mr. Foulds: That is the biggest moment of self-realization the member has had tonight.

Mr. Speaker: Order. The hon. member for Scarborough West has the floor.

Mr. Stokes: Mr. Speaker, will you give that calf boy a rope?

Mr. W. Newman: The member knows well he wants it both ways. He can't have it.

Interjections by hon. members.

Mr. Lawlor: Will he please take his turn to the far right and speak?

Mr. Speaker: Order.

Mr. Lewis: Mr. Speaker, what the farm community of Ontario is asking is a commitment on the part of the government to the viable family farm. That is what they are asking. They are asking that the government

of this province enact policies which will make it possible for the family farm to survive—

Hon. Mr. Grossman: That's what we are doing.

Mr. W. Newman: That's what we are doing.

Mr. Lewis: —rather than that policy which clearly leads to the elimination of the family farm.

There are some things which now become desperate. The government has simply got to have the kind of loan programme available for new farmers which is going to allow them, at no interest rates or the lowest of all interest rates, to assess sizable sums of money—not $5,000 or $10,000 or $15,000, but much higher sums of money than that, much of which will have to be forgivable—or grant, in order to go into farming, or the rural community will just disappear.

It means the government may have to look at the land banking schemes of Saskatchewan, Manitoba and British Columbia, so that the government has the right of first refusal on certain park or agricultural land so that it can be maintained in production. It means the government may have to buy some agricultural land and lease it back to the farmer with an option for him to repurchase it at the original purchase price so that the farmer can remain in production.

It means very simply that the government will have to make a commitment to rural life, and it no longer has that commitment. It only has a commitment to the desecration of rural life in this province. We are putting to the government that we are not going to play that game with it.

Mr. Eaton: Is the member putting it to us the way the farmers of Manitoba had it put to them? They cannot even have representation on their marketing board.

Mr. Sargent: What is the member saying? We can't hear him.

Mr. Speaker: Order please.

Mr. Lawlor: That is the kind of land planning the Treasurer ought to have.

Mr. Lewis: I have no idea what is going on.

Mr. Irvine: Don't be so truthful.

Mr. Lewis: I think some members in the Liberal caucus are trying to say something to the member for Middlesex South.

Interjections by hon. members.

Mr. Lewis: I think if the member for Middlesex South really tries hard from the diaphragm, he will resolve it over the Christmas recess.

Interjections by hon. members.

Mr. Breithaupt: Perhaps he needs a pair of weights.

Hon. Mr. Grossman: That was a dirty remark.

Mr. Lewis: Not at all, much less than other observations I have heard.

Mr. Sargent: If the member for Middlesex South needs any help, give us a call.

Mr. W. Newman: If I could hire the member for Grey-Bruce for a year I wouldn't have to buy fertilizer.

Mr. Lewis: Mr. Speaker, I now want to leave the minority portion of my remarks, the more modest portion of my remarks as they relate to—

Mr. Irvine: Dundas again?

Mr. Lewis: I am not going to deal any longer with Dundas. It is not in good hands. I shall come back to it from time to time, but not tonight.

Mr. Irvine: Come back. The member has an open invitation.

Mr. Lewis: For the next few minutes I want to comment on another phenomenon which is endemic to Ontario—

Mr. Sargent: Is the member happy?

Mr. Lewis: —and that is the emergence in the past year or two of the most astonishing pressure-group lobby, the most astonishing proliferation of citizens' groups and community action that this province has ever witnessed, and the way in which it is focusing in on a number of issues and causing government action in the face of what would have been clear intractability.

This is seen in a whole variety of situations, the most dramatic at the moment being the teachers' dilemma, which is now the classic example of public protest. But it is equally clear in the area of the Algonquin Wildlands League in Algonquin Park; it is equally clear in the area of People or Planes for Cedarwood and the airport; it is equally clear in the citizens' groups around Highway 402 running southwest of London, or

Highway 17 running east from the Soo; it is equally clear, I may say to the Minister of Transportation and Communications, on that fascinating little issue of Elora Gorge and the bridge over Elora Gorge.

I must say I have been really surprised at the tremendous number of letters I have received, and submissions I have received, about this little issue of Elora Gorge, from Kitchener-Waterloo Probe, from Guelph Probe, and from a wide variety of individuals. As a matter of fact, I have received five times as many letters on Elora Gorge as I have objecting to the NDP stand on the teachers' bill and I guess that kind of speaks for itself. And it kind of speaks for what I think about all this poppycock about telephones in the Minister of Education's office ringing every second, or whatever technologically impossible dream was conveyed.

Hon. Mr. White: I think the leader of the NDP will have to blame that on the equipment.

Interjections by hon. members.

Mr. Lawlor: I've only had one complaint against the teachers.

Mr. Lewis: One complaint against the teachers? I've had three or four phone calls objecting to our position on the teachers' situation, against, now, more than 1,000 telegrams. Do you know that the greatest number of telegrams I ever received on any issue was around six, maybe eight, maybe 10—somewhere in that vicinity? And I must say, to receive more than 1,000 is really quite something.

I must also say that in the last two or three days the telegrams that are pouring in are no longer simply from teachers' groups, which I readily credit with the case initially; they are now from a whole range of individuals and related community pressure groups. And I'm really quite surprised at the way this issue is picking up in community terms. The members over there—

Mr. W. Newman: Where are those telegrams?

Mr. Lewis: Oh, I don't understand this.

Interjections by hon. members.

Mr. Lewis: I may say that the government members are manufacturing a mythology to serve themselves on this issue. They are manufacturing the mythology and they're hanging onto it in desperation that somehow there's going to be a backlash, and that somehow they're going to receive the kind of community approval that will render this bill publicly acceptable.

An hon. member: Who is manufacturing now?

Mr. Lewis: No. No, we haven't.

Mr. Deans: They are wrong on this one. They are wrong on this one.

Mr. Lewis: So, I said to myself: Did they take a poll?

Hon. Mr. Grossman: Why is the leader of the NDP warning us, then?

Mr. Lewis: One of the minister's colleagues in the cabinet—I won't name him—was indiscreet enough to say to one of the teacher representatives that that bill had been in the hands of the cabinet for one week, Bill 274, before it was brought into the House, drafted and ready. So I said to myself, could it be that in that week's difference, that week's interval, the Tory caucus, the Tory cabinet, did a poll and ascertained that it was beneficial to go ahead? I don't think so. I don't think so. Am I right? Okay, I'll tell them that they believe—I don't think the government members would tell me the truth anyway, but I accept it.

Interjections by hon. members.

Mr. Lawlor: Those guys think they know best.

Mr. Lewis: In the last election campaign there were a lot of denials about a certain out-of-state polling agency until it emerged under Ross Munro's byline.

Hon. Mr. Grossman: The member said he didn't believe me.

Mr. Lewis: I suspect the Tories might dissemble about their own polls where I am concerned, but I will tell them something. They believe firmly they are going to cash in on the anti-teacher feeling.

I think the government has made the biggest error in judgement it has made as a political party yet; that it is wrong; that by and large the community believes in its teachers, and they will rally systematically to the teachers. The teachers in this province will be holding parent interviews in their classrooms over the next several months,

time and time again, and it is going to be very hard to depict those teachers as anti-social in the eyes of the parents who are experiencing that direct contact.

Therefore, I hope the concessions which are now being negotiated are granted by the government—for everyone's sake I hope they are granted by the government—or the Tories are going to be in terribly difficult circumstances and the province is going to be in unnecessarily difficult circumstances.

I shan't be all that much longer, Mr. Speaker. I will adjourn the debate.

Mr. Lewis moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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No. 182



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Thursday, December 20, 1973

Morning Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 20, 1973

The House met at 10 o'clock, a.m.

Prayers.

DEATH OF FORMER SPEAKER

Mr. Speaker: I have learned this morning, and I'm sure the hon. members would want me to inform them, of the unfortunate passing of Mr. Thomas Ashmore Kidd who was a former Speaker of the Ontario Legislature. Mr. Kidd had been Speaker from Feb. 5, 1930, during the 18th Parliament. He died last night in Kingston, Ont. The funeral is tomorrow afternoon.

Is it the wish of the House leader that we proceed with routine proceedings at this time or shall we proceed with the last order of business?

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, before we proceed with the first order can the Chairman of the Management Board of Cabinet advise us if we can expect any statement with respect to press comments concerning a possible arrangement with respect to Bill 274?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): I don't know how to answer that about the expectation. I simply say there is no statement at the moment.

Mr. A. J. Roy (Ottawa East): I've got a reservation for out of town today. Can I take it?

Hon. Mr. Winkler: The member should take it while he can get it.

An hon. member: We won't miss him.

Hon. A. B. R. Lawrence (Provincial Secretary for Resources Development): And don't come back.

Mr. Roy: The minister is not trying to get rid of me?

Mr. D. R. Timbrell (Don Mills): Is it a one-way ticket?

Mr. Speaker: Order.

Orders of the day.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approve in general the budgetary policy of the government.

BUDGET DEBATE

Mr. Speaker: The hon. member for Scarborough West.

Mr. S. Lewis (Scarborough West): Who is winding up for the government?

Mr. E. W. Martel (Sudbury East): Solicitor General Allan Grossman.

Mr. W. Ferrier (Cochrane South): Is he Solicitor General now?

Mr. Lewis: Does he want to start now? No. How much time does he want? Does he want to start right away? When does the government want to make the announcement? When does the Premier (Mr. Davis) want to come in?

Hon. A. Grossman (Minister of Revenue): Approximately some time of the clock.

Mr. Lewis: Approximately what?

Hon. Mr. Grossman: Approximately sometime.

Interjections by hon. members.

Mr. Lewis: That's what I thought.

Mr. A. J. Roy (Ottawa East): The minister is not usually that factual.

Mr. Lewis: That's quite what I thought. My understanding is that it's coming sometime between 10 and 12. I suppose that we can—

Hon. Mr. Grossman: The member always has more information. I don't have any spies in those areas.

Mr. Lewis: I don't have any spies, either. I am not really interested in playing with the minister about it. All of us know there's an announcement coming. I presume it will come before noon.

Hon. Mr. Grossman: The member was telling us when. So I say he has information that I don't have.

Mr. Lewis: Yes, I was. I was saying between 10 and 12.

Mr. J. R. Breithaupt (Kitchener): Perhaps the two of them would like to carry on—

Mr. J. F. Foulds (Port Arthur): Mr. Speaker, on a point of personal privilege—

Mr. Lewis: This is important. Now the minister will know. Listen carefully.

Mr. Foulds: On a point of personal privilege, Mr. Speaker, could you inform the Minister of Revenue and the Premier and the Minister of Education (Mr. Wells) that if they are going to engage in James Bond-like activities—

Mr. Speaker: This is no point of privilege. The hon. member will please be seated. It is no point of privilege whatsoever.

Interjections by hon. members.

Mr. Foulds: —they shouldn't schedule the meeting for the same corridor of the same hotel at which the education critic for the NDP—

Mr. Speaker: The hon. member has no point of privilege.

Mr. Roy: Did they keep the member up?

Mr. Foulds: Yes.

Mr. Lewis: For me, it is not a point of privilege but it is a serious matter of government strategy that when the ministers are plotting solutions to social problems they not rent the hotel room virtually adjacent to the education critic of the New Democratic Party and his colleague from Nickel Belt (Mr. Laughren). It makes the pitter-patter of government feet pretty clear to those who open their transoms to peek.

Interjections by hon. members.

Hon. Mr. Grossman: That is James Bond stuff.

Mr. Roy: Probably fell asleep.

Mr. Lewis: It was something more than coincidence that it all took place on the 10th floor and my colleague got no sleep at all.

Mr. Speaker, I want to draw these forever prolonged remarks to an end because I anticipate with relish the announcement that is coming rather more than I relish my own speech. Before sitting down, however, I did want to raise one matter which emerged at 10:30 last night and that was a reference to the Elora Gorge. I wanted to raise it with the Minister of Transportation and Communications (Mr. Carton) in the House because I was speaking of the pressure of citizens' groups on the government and, indeed, on the opposition parties as well—the enormous pressure which exists—and I thought the Elora Gorge controversy was a nice microcosm of that. Could I put a couple of facts on the record which I think are perhaps of some consequence?

The controversy of the bridge across the Elora Gorge in order to free the traffic running down the main road of the lovely little community of Elora has raged now for two to three years at fairly frenetic levels. It reaches episodic crescendos as it did at the end of 1972 and as it has through the latter part of 1973.

One of the things which highlighted matters in 1973, in the early part, was the famous letter from the minister to the county engineer of Wellington county in Guelph, Mr. Holmes. The minister wrote to him on Feb. 15 to say:

> We feel that the tangible benefits to be gained by a new county road 7 would not justify the construction of the latter within the immediate future. We base this opinion on a review of the traffic information presented in the functional planning report prepared by your consultants.

The minister did say that he would be willing to contribute to improvements of the existing village road. That was considered a pretty definitive statement that the ministry was not prepared at the moment to go ahead. Indeed, many interpreted it as the ministry saying to the people of Elora and the surrounding area it would not occur.

Following that, there was a letter on May 1, 2½ months later, from the deputy minister, Mr. McNab, who wrote to the county of Wellington again and said:

> There appears to be a misinterpretation of the minister's letter to you dated Feb. 15.

The words, "there appears to be a misinterpretation," are a euphemistic phrase meaning: "We have changed our mind, we have reconsidered. We consider your reaction to have caused us some embarrassment and so now we are putting a new position."

And the new position is this:

> While it is still felt that due to financial constraints, priorities indicating delay in the construction of the bridge should be considered, the authority and responsibility for the decision to proceed rests entirely with the county.

And that was the crux on which the government then based its arguments.

Now, from that point in May, when the whole decision went back to the county, there has been much public controversy around whether or not the bridge should be built. It goes back to competing matters of jurisdiction that were raised initially in 1972. And I simply want to put on the record, Mr. Speaker, that the bridge across the gorge really is a provincial responsibility, not simply a county responsibility; that the bridge across the gorge ultimately will require a permit issued from the Ministry of the Environment, it will ultimately require the approval of the Ministry of Natural Resources because of the fact it is going through the conservation authority, and that obviously the Ministry of Transportation and Communications will be a part of it for grant purposes.

So there is no way this bridge across Elora Gorge can be considered other than a povincial matter; and to pretend it is purely a county matter seems to me wrong. When the minister says the bridge across the gorge will be built according to county priorities, I think he forgets they are putting a bridge across one of the most splendid scenic areas in that part of the province; and that this shouldn't be done lightly and alternatives should be found if necessary.

It particularly shouldn't be done lightly if in fact there is not as much justification for it as there should be. When the original feasibility study was made, the comments from the feasibility study, looking at the traffic flows and the need for the bridge, the main points were as follows:

> 1. The traffic analysis and the projection contained in the prefeasibility study is very poor. Establishment of DHV and capacity analysis is poor. Traffic growth rates have poor basis.
>
> 2. Report acknowledges that other alternatives have not been considered in any serious way [page 9]. Benefit calculation is nonsense [page 11.]
>
> 3. Any bypass routes should be based on broad planning considerations and not on superficial traffic capacity arguments. My conclusion with respect to the prefeasibility study is that the bridge was selected and numbers on traffic flow were rearranged until they justified the proposition.

That was an analysis of the prefeasibility study whose authorship remains at the moment anonymous; but in terms of judging the prefeasibility study and these comments, Pollution Probe, and this has not been put on the record before, I want to put it on the record now, asked M. M. Dillon Ltd., consulting engineers and planners, to comment on the prefeasibility study. And dated Nov. 29, 1973, I have their comments on the various comments that have been made as another group of consulting engineers. These are the comments:

> 1. The main points outlined by the previous reviewer are completely valid.

And you'll note what that says, Mr. Speaker, that other alternatives have not been considered in any way, that the benefit calculation is nonsense, that the traffic analysis and projections are poor and that the traffic growth rates basis is poor; that all of that is valid.

> 2. The overall base information is very sketchy with too many probables and assumptions in traffic and economic data.
>
> 3. The question of a new crossing of the gorge should be examined in a broad, regional context, not on the savings of $420,000 to the general public in the decrease of point four miles of travel. The $420,000 saving is based on a 20-year traffic forecast, but the consultants themselves indicate that traffic forecasts past 10 years are unreliable.

And this comment is signed by M. M. Dillon Ltd., a very reputable group of consulting engineers and planners.

So there are first-rate consultants in the field who have indicated that the prefeasibility study is faulty on almost every ground, and yet the government determined to put this bridge across the gorge at precisely the fore point where it will be the most destructive to the scenic value of that gorge.

Pollution Probe has gone further, and as a complement to the forecast, did an entire questionnaire latterly of the citizenry in Elora, in Fergus; and of the small business community in Elora and in Fergus. I have the results of the questionnaire in front of me. But I won't go into great detail, because that is unfair at any time—let alone at 10:15 in the morning, when the minister is virtually captive.

In the results of the questionnaire, essentially everybody agreed there was a serious traffic problem that had to be resolved—no question. Everyone agreed that they had heard of the bridge over the gorge as a viable way of handling it, but nobody—I shouldn't say "nobody"—a great majority of people, both from the business community and from the citizenry, had not been informed of possible alternatives and had not, in fact, discussed them at any length, including the alternative of the bypass. It would be equally effective for Fergus as it would for Elora, to remove the congestion on the main street and allow the bridge to be built somewhere distant to prevent the destruction of the scenic grandeur and the attractiveness of the gorge as such.

Although my friend, the member for Wellington South (Mr. Worton), points out to me that because of the tributary of the river it would require two crossings, it still seems to us that that might be a better solution than the other. I'm not sure; I admit that candidly. But I don't think anyone is. I don't think the alternatives were seriously discussed in this case. I don't think the broad planning for the whole southwestern part of Ontario, which this little bridge involves, was seriously discussed. I think that is where this whole project is wanting.

When you look at the interviews with the citizenry of Elora and Fergus, you find that they understand. In answer to the question, "What attracts people to Elora?"—80 per cent say, "The gorge." Eighty per cent say the gorge. And what is its outstanding feature? The gorge.

The questionnaire showed there is a wide community and public appreciation that if the government is going to violate the gorge, then it is going to be in great difficulty.

I don't know whether I have the photos—my life has been so chaotic, I guess like everyone's in the last few days. I haven't got them with me. The member for Wellington South has seen them, too; he has seen them. They are very interesting photographs—I shall send them to the minister—with the bridge painted it, superimposed on the gorge.

It really does frost one; I mean it really is aggravating that in the name of social progress that kind of desecration could occur.

You don't have to be a romantic and you don't have to be an aesthetic in order to see visually and quickly how what a violation it would be. I wish there were an alternative. I am just putting it to the minister; here he has the basis to say to the county: "There really has to be an alternative to this; we've got to put it in the context of southwestern Ontario planning. The consultants' prefeasibility studies say all of the statistical data is poor. And on top of that, you've got the questionnaire; you've got the problems of the gorge. Let us take another look at it."

And, you know, the minister also has on record evidence that in the various letters written from OIKES Associates, the environmental group, I guess based in Guelph, that have been asking questions—Is it Guelph? Guelph or Waterloo. The group that has been asking questions. When they wrote to the county and to the conservation authority, they kept on getting different replies about whose responsibility it is.

As a matter of fact, the behaviour of the conservation authority really mystifies me, because they have a public responsibility; an important public responsibility to conserve natural beauty. And their willingness to participate in this concerns me greatly.

So I am putting to the minister the fact that a lot of eloquent letters have been written, a lot of feeling has been expressed, begging him, asking him, to reconsider the whole proposition.

I really wish he would. I think he has an enormously strong base. He obviously felt when he looked at it himself early in the year that the prefeasibility study wasn't sufficiently justified or he wouldn't have sent the letter he sent initially. In political terms afterwards, maybe even in administrative terms, he felt he'd made an error, and he corrected it.

I won't quibble with the minister over that. Maybe all of that was a genuine process of sorting out. But I really think that his first instincts were right; that subsequent examinations say he was right; that the various provincial involvements of Natural Resources, Environment and himself legitimize the minister's entry at this point; that citizen feeling in Kitchener-Waterloo and Guelph is pretty high; that although everybody knows there has to be pressure off the main route of Elora—that it will choke that little village, that beautiful little village—it doesn't make all that sense to put the bridge up where he is going to put it at the gorge without alternative studies. Indeed, some people are of the opinion that that may not relieve the congestion in the village all that much in the final analysis with that very modest diversion.

So I put that to the minister. I am not putting it to him at great length; I am just putting it to him because it has bothered me for a little while.

While I am mentioning the traffic problem in southwestern Ontario and just dealing with it generally, let me say a word about Highway 402 because, lo and behold! on Thursday, Dec. 20, in the Globe and Mail, than which there is no more esteemed paper, I notice that the front of it says—oh, it doesn't say. Is today Dec. 20? Yes.

An hon. member: All day.

Mr. Lewis: Well, the final edition of the Globe and Mail today said that the teachers' dispute was settled, and who am I to challenge the words of the Globe and Mail, particularly since I know they are right? Then I noticed—

Hon. Mr. Grossman: The member for Port Arthur doesn't like challenging the Globe and Mail.

Interjections by hon. members.

Mr. Lewis: —I noticed that in the final edition of the Globe and Mail reference was made to comments of the NDP on the agricultural situation; how can I dispute that? And then on page 9 of today's Globe and Mail it says: "Residents Fear Highway 402 Will Destroy Their Way of Life." I am glad the member for Middlesex South (Mr. Eaton) is also in the House. And it's written by Rudy Platiel.

Let me tell you something about Rudy Platiel. He is one of the finest journalists around. He is an absolutely first-rate journalist, scrupulous, bright, works extremely hard at the material he puts together. I have personally travelled with him in election campaigns, read many of his stories—much of his writing is on Ontario's north, much of it is written about native peoples. He is an extremely informed journalist who does this kind of thing, who goes into communities where there are isolated issues and attempts to extract what is true about community feeling.

Let me read a little of it to you, since I have not yet—

Interjection by an hon. member.

Mr. Martel: I thought the member for Lambton (Mr. Henderson) would savour it.

Interjection by an hon. member.

Mr. Lewis: —read it myself, I feel it would be worth putting it on the record.

Interjection by an hon. member.

Mr. Lewis: He is writing from Delaware—if you think that's an uncritical plaudit for Rudy Platiel, since I haven't read this story, you are quite right, Mr. Speaker.

He is writing from Delaware and he says:

> Provincial planners say a major highway is going through this farming area south of London, Ont., but many residents are hoping that citizen opposition and the trend to energy conservation will stop it.
>
> "Fuel soon will be so costly that four-cylinder cars and 45-mile-an-hour speeds will be the order of the day," said Frances Kilbourne, one of a number of area residents protesting against construction of the proposed Highway 402.
>
> "So who needs a 70-mile-an-hour controlled access highway then?"
>
> Mrs. Kilbourne, whose husband, Richard, is a third-generation area farmer, said there are fears that the proposed superhighway will destroy the closely knit community life of South Caradoc.
>
> South Caradoc is a name that doesn't exist on any maps. But this wedge of Caradoc township is a community and is real—as even provincial planners have discovered.

Last night I was making the point that there is a kind of foolhardy, relentless destruction of small communities on the part of this government. It is as though it chooses, almost indiscriminately, small communities to destroy in the name of progress.

Mr. Martel: They could not go to the north.

Mr. Lewis: And I like the way Rudy Platiel says that.

Mr. Martel: They couldn't go to the north—

Mr. F. Laughren (Nickel Belt): No, they've already destroyed Gogama.

Mr. Lewis: To continue:

> It is right in the path of the proposed $44 million, 22-mile highway. Provincial planners have drawn up about 17 combinations of routes through two corridors, both of which would result in a route splitting the community, Mrs. Kilbourne said.
>
> South Caradoc is an anachronism, Mrs. Kilbourne says. It is a small-conservative community . . .

Well, I'll attest to that. I campaigned in Middlesex South in 1969. We swept everything. I don't remember sweeping Caradoc.

Mr. L. C. Henderson (Lambton): No, he didn't.

Mr. Lewis: To continue:

> It is a small-conservative community that is rooted in the traditional values of respectful obedience to authority and the order of things.

Kind of like the teachers were 10 days ago. What amazing things your wonders doth create, you and your government.

Mr. Breithaupt: Amazing grace.

Mr. Lewis: Going on:

> To fully understand [she said] what is happening here you have to realize that these people never protested in any way like this before. First time I ever stuck my neck out on anything like this.

Mr. Martel: The member for Middlesex South says they are organized by the NDP.

Mr. Lewis: The government is arousing confrontation and dissent across the entire province on every conceivable issue.

> The splitting of farms [which highway planners have tried to keep to a minimum by following lot lines where possible] is only part of the concern. The real threat seen is the splitting of a cohesive, almost insular community.
>
> The road is one concern. Speculation that will eventually make land too expensive for agriculture and vulnerable to urban sprawl and industrialization is another.
>
> The origin of Highway 402 was in a 1966 concept to swing Sarnia-Highway 22 traffic to the north and east of London via an expressway to handle both urban and through traffic.
>
> But in the late 1960s, as London city council began to move on the plan, citizen opposition started to build. By 1971 when council voted, despite opposition, for an in-city expressway route, the province had already adopted a policy of separating urban and through traffic.
>
> Provincial planners swung their attention to the area southwest of London where complaints were already coming in from communities such as Mount Brydges and Strathroy over the problem of through traffic—particularly transport trucks—on the main streets.
>
> The planners marked out a study area, sent out notices asking for planning suggestions from citizens, and promptly ran into a barrage of hostile questions in three public meetings in April.

Those public meetings were farcical. I don't have my file with me, but I remember vividly that extraordinary column in the London Free Press by—who wrote it? My friend can help me with that; he just won't because he won't give me any marks.

Mr. V. M. Singer (Downsview): Oh dear, picking on the member again.

Mr. Lewis: Who was that chap in the Free Press who wrote that column?

Interjection by an hon. member.

Mr. Lewis: Anyway, he was the fellow who attended all three meetings. He pointed out that although the ministry planners and consultants were there, no answers were given. The public asked question after question, and they just seethed with frustration because they could find out nothing from the government people who attended. It resulted only in intense aggravation and in the sense of a plot, in their minds, about the motives behind Highway 402.

> In June, the province was back with a series of "information meetings" and a group of South Caradoc residents marched with protest placards outside the one held in their community hall.

I remember those protest meetings, and again I remember the extraordinary article in the London Free Press about the way in which—I guess his name was Berger; I guess it was Earl Berger Associates, yes—the way in which those meetings had been so absurd, because they were unable to satisfy the kinds of questions and concerns that the citizens had.

I'm not going to rehash the whole Highway 402 matter, but I do want to say a couple of things because I think they're probably worth saying again. And probably they should come from me, because I saddled my colleague from Sudbury (Mr. Germa) with the material to raise in the estimates committee, he wasn't as familiar with it as I was, and the government had carefully manipulated its entire business in committee in order to bring this up when I was out on the road. So I'm trying to correct that now, and I'll just simply put it on the record:

1. That the refusal to build Highway 402, originally north of London, was because of the enormous vested Conservative interests which would not permit it.

2. That the refusal to have Highway 402 come north and east of London, therefore hooking up with the eastern industrial corridor of London, was stopped for reasons I've never yet understood.

Mr. R. G. Eaton (Middlesex South): Why didn't the member talk to the mayor?

Mr. Lewis: 3. The refusal to move to meet Highway 7 north of London and the necessary improvements to Highway 22 were discarded for reasons I don't entirely understand.

4. The putting of the highway through to the southwest of London, both in environmental terms and in agricultural terms, seems to me to be an extremely dubious proposition which is building a lot of citizen antagonism and arousing a great deal of anxiety, as you can see from these various arguments. In planning terms I really wonder about it. If the industrial section of the city is in the east, then why put the major traffic route to the west? That's just an incitement to move westerly out of London to meet the corridor, and I really am not sure that I understand the rationale behind that.

I'm not sure that I understand that. The MPPs from the London area should be getting together and meeting with the Minister of Transportation and Communications to decide where the route is to go. I know that all the government is saying publicly is that it has two corridors within which it is attempting to ascertain the route. I think it's probably true that the government will ascertain that route with as little community disruption as possible. I think that's also true. I don't think it wants to do things which are socially perverse just for the hell of it through the southwest of the city of London.

I think that there now comes the point to reappraise the whole business, because the energy shortage makes one wonder whether Highway 402 should proceed at all. It really makes one wonder whether or not we should be providing a major arterial expressway for American truck traffic, which is largely what we are dealing with.

It really makes one wonder whether the destruction of a community like South Caradoc or adjacent agricultural land or the nice little environmental hills that exist southwest of London—those recreational hills that are often used by London citizens—whether those areas should be jeopardized in order to facilitate a truck traffic route for American trucks; and whether it isn't, in fact, possible to improve Highway 22 to the extent where this kind of arterial expressway should be jettisoned. The government stopped Spadina. It stopped Brantford. It is reappraising or has reappraised St. Catharines. It is going to stop the Scarborough Expressway. It is beginning to look at some of these arterial highways.

Nobody denies that there has to be highway linkages, obviously there does. We accept that. There has to be a good transportation system in southwestern Ontario, but given the context of the fuel and energy crisis now, whether 402 can continue to be justified in terms of its primary focus, which is to serve American truck traffic, is really questionable. That's really, really questionable. And again I ask the government to take another look at it.

If memory serves me, the government is going to come back with further public meetings toward the end of January. Is that fair? Am I right about that? Well, if it is going to come back to other public meetings toward the end of January, I really think the government at that point should make the case for the building of the highway, keeping in mind the likely diminution in truck traffic as a result of the energy crisis and keeping in mind as well the old question of traffic corridors for southwestern Ontario, rather than simply putting Highway 402 through when many people think it is largely unrelated to other priorities.

I know the government has started moving it out of Sarnia and it can't have too many four-lane highways which begin somewhere and end nowhere. I mean that does get embarrassing at some point, but I really wonder whether we've described a sufficient rationale for 402, and I raise it in that context.

My colleague from Ottawa Centre (Mr. Cassidy) sends me a note, pointing out that as with the Elora bridge and as with Highway 402, so with the dam at Arnprior. The government chooses a $79 million dam contract without any serious look at the alternatives to curb the erosion on the Madawaska.

This refusal to look at alternatives in serious economic and social projects is what is harassing the government all around the province. Whether it is Cedarwood or the airport or Algonquin Park or Highways 402 or 17 or Elora Gorge or the Spadina Expressway or the Scarborough Expressway or any of these things, the government's indifference to citizen participation and public pressure is, I think, leading to one of the greater liabilities which the Tory party has.

I am not going to enumerate its ills. It was done by the Leader of the Opposition

(Mr. R. F. Nixon) last night who, I gather, surveyed the session from—when did it open? —March 20 until Monday.

Have I lost that amendment to the amendment again? I probably have. However, just before I read the amendment to the amendment which we wanted to put—I don't really need it; I can just speak to it.

Let me say, Mr. Speaker, by way of final reflection, I think this has been a very bad year for the Tory party, probably the worst in my memory in the House; and I told you before I make no assumptions about what that means in the future, because I've learned all of us have learned of the recuperative powers of the Conservative Party. But I think they may have inflicted mortal wounds upon themselves for the first time in 30 years, and the pattern that has developed of crisis to crisis every two to four weeks is an unprecedented pattern in the life of the Conservative government. Over a period of time the cumulative impact of that kind of crisis government makes itself felt on the electorate.

I think, then, there are those four sort of major areas where the electorate is saying to the government, "You are wanting, and you are wanting so badly, that there is now a possibility that you'll be defeated in 1975."

The so-called scandals, with which we have not dealt as fully as others, I think have done some harm to the public perception of the basic integrity of the Tory party. I don't know how deep they go, but I sense that they are still discussed out there, and it is a quiet, beneath-the-surface counterpoint to rather more positive things which the Conservative Party would wish to express of itself.

Secondly, I think that on a number of issue areas, such as regional government, the sales tax, the energy tax, the pension problem, the teachers' debate, housing, the legislation on the escarpment and land-use planning generally—in these issue areas there is a very widespread public feeling of failure in policy, of inadequate decisiveness, of an inability to cope with contemporary social and economic problems; indeed, there is some bewilderment, because the assumption was made that the Tory party up until now could cope with them.

Thirdly, Mr. Speaker, there is this whole new set of themes emerging in Ontario that are not as easily tied in with a series of identifiable issues: themes of the north and the east objecting to the dominance of Metropolitan Toronto and the Toronto-centred region; themes of the people in Metro Toronto itself, and in urban southern Ontario generally, being hostile to the kind of environment which the government has created for them, the straitjacketed environment in economic and environmental terms, which all of us who live in Toronto experience on a day-to-day basis.

The theme of small communities and agricultural land seeming to be expendable, as the government pursues its fixation over growth and growth for growth's sake; the theme that Queen's Park, not simply in terms of centralization but in terms of its total distance from the public as a whole, that Queen's Park has retreated into some kind of fortress, that the decisions which should be rendered in the local areas, in community areas and in other parts of the province are no longer available to be thus rendered, but are made here in an abstracted and uninterested way, and that in fact does damage to the basic quality of Ontario.

I got that in a more pronounced way in my travels in the last three months, I guess, than I received any piece of information. I got just the sense that the government had walled itself off. It wasn't so much a battle between centralization and decentralization, between small communities and regional government, it was something more profound than that.

It was the sense of distance, the sense of estrangement, the sense that the emphasis on Queen's Park and the Legislature to the exclusion of realities in the hinterland was so pronounced that people who have been Tories all their life, who voted for the government consistently, sometimes enthusiastically, were losing confidence—and that is true in almost every part of the province—the final point, Mr. Speaker, being the most dramatic emergence of all these public pressure groups hounding us, knocking on the doors, presenting articulate briefs and statistical documentation, making life miserable for the government.

They can't hide a gravel pit in Erin township any more before people start writing in about it. They can't bring that bill into the Legislature and pretend it's innocuous without getting 30,000 people at Maple Leaf Gardens. They can't do anything any more, from projected plans for a new city to the northeast of Metropolitan Toronto through to expenditure of money for a park, without having a basic and profound public reaction.

That's one of the most exciting things which has happened in Ontario in the last couple of years. It's qualitatively different

from what it was before and it speaks of the sense of public non-confidence in the government or they wouldn't be coming so bitterly, so unhappily and so frequently on every single issue, large or small.

I guess, were we to have the resources, I could keep six or eight or 10 people busy on a day-to-day basis following up on the citizen protests which emerge in every part of the province.

Mr. Speaker, I don't know, any more than anyone else does, who is going to inherit the wrath that is expressed toward the government in 1975, politically. I feel, I guess, pretty good about the NDP's position to inherit some of that or much of that. The party I am happy and fortunate enough to lead has come together in the last year and is doing a job that is effective and important in public terms in Ontario. I think that's getting through and we will continue to do it.

We won't be sanguine about our prospects because we know that it takes time, but the emergence of the governments, of course, in BC, Saskatchewan and Manitoba, as all the Tories know, has given to the NDP in Ontario a very considerable credibility and reputation as it has given to New Democrats all across this country. I do believe the Conservatives will be facing a possible doomsday scenario in 1975 but we will wait to see whether that occurs.

Mr. R. K. McNeil (Elgin): The member said that in 1971, too.

Mr. Lewis: No, I was more assertive in 1971. I am more tentative in 1973 and we will wait to see what happens.

Mr. O. F. Villeneuve (Glengarry): I remember in 1967 the same statement.

Mr. Lewis: That's right. I have learned humility and moderation.

Mr. P. D. Lawlor (Lakeshore): And without being in the least humble.

Mr. Lewis: And without being in the least humble.

Mr. I. Deans (Wentworth): The most important feature of it all is that one should always believe one can never be defeated. That's the important and redeeming thing from our point of view. One must always believe one can never be defeated.

Mr. R. F. Nixon (Leader of the Opposition): I can't wait to hear the Minister of Revenue react.

Mr. Lewis: Okay, he will come to his feet. I want to remind members that we moved a subamendment to the budget. They may have forgotten that. It was moved by Mr. MacDonald, my colleague from York South, and I appear to have seconded it although memory fails. The amendment says:

> That the amendment to the motion be amended by adding thereto the following words: "And this House deplores the fact that the government proposes to raise regressive taxes at the provincial level ostensibly to relieve equally regressive taxes at the municipal level; that this House urges the government to finance sales tax and pensioner credits and larger municipal grants from the greater revenues which come in during the year beyond the underestimates of the budget; and that the further needs of our people, notably a fully implemented property tax stabilization plan, a sharing of the income tax field with local governments and a massive housing programme should be financed through a progressive tapping of the new revenue sources in the resources succession duty and capital gains field."

Mr. Speaker, we will pursue those amendments. This—as you will agree, sir—first-rate, tough-minded, excellent caucus will be on the government's heels day in and day out over the next two years as we try to effect its early retirement.

Mr. Breithaupt: The Tories must not consider themselves to be smart and capable any longer.

Mr. Speaker: The hon. Minister of Revenue.

Hon. A. Grossman (Minister of Revenue): Mr. Speaker, in winding up the budget debate I intended to confine myself to matters of economic importance as really befits this occasion, but I am sure the hon. members opposite will probably appreciate that they provoked some comments which really couldn't be forgotten, having regard for some of the provocation they have provided.

Mr. M. Cassidy (Ottawa Centre): The minister appears much calmer than usual.

Hon. Mr. Grossman: I have just started. Of course, Mr. Speaker, as usual everything that comes from the opposition—and I don't know, but maybe that is what we would do if we were in opposition—is negative.

Mr. Foulds: The minister will find out.

Hon. Mr. Grossman: Sometimes if you listen to enough of the opposition speakers long enough, you get a bit depressed and feel if the world is just about half as bad as they say it is, "I think I'm going to jump off the first bridge."

Mr. R. F. Nixon: It is twice what we say it is. The minister should jump off.

Hon. Mr. Grossman: But, thank the Lord, when you go outside of these buildings and you take a look around, you see a thriving community.

Interjections by hon. members.

Mr. R. F. Nixon: And 30,000 teachers protesting in the middle of it.

Hon. Mr. Grossman: In all, it is just the usual negative approach of the opposition.

Mr. Breithaupt: If things are so good, why are they bad?

Hon. Mr. Grossman: They really remind me of that satire of the old radio soap opera which was introduced as "The heart-warming story of a girl who found unhappiness by leaving no stone unturned in her efforts to locate it." That is what the opposition really is doing most of the time, trying to find unhappiness. They succeed in it; they succeed in finding unhappiness.

Interjections by hon. members.

Hon. Mr. Grossman: I come to one of the most unfortunate parts in the debate, in the last couple of days anyway. I thought, in view of the new approach that the NDP had decided its leadership was to take, that it slipped back a little. When the hon. member for Welland (Mr. Morningstar) got up yesterday to make his contribution to this debate—

Mr. Roy: Does the minister call that a contribution?

Hon. Mr. Grossman: —the patronizing sneers of some of the hon. members opposite, particularly from the NDP, were typical of the sort of approach they take.

Mr. R. F. Nixon: We applauded it.

Mr. Deans: I led the applause and the minister knows it.

Mr. Lewis: As a matter of fact, I paid tribute to him when I rose to speak.

Hon. Mr. Grossman: There were some members on the Liberal benches as well. They figure that they are some sort of intellectuals and well above the down-to-earth approach, the level-headed, common-sense approach that the hon. member for Welland usually takes. I've been around the House many years with the hon. member for Welland. I want to say that there are very few members in this House who are as hard-working and as sincere a representative of his people as is the hon. member for Welland. He may not have the ability to glue beautiful phrases together. He may not have that but what he has is a good heart, a desire to serve his people, and a good deal of common sense, as I say. He is using that for the purpose of helping his people, and it is obvious that they appreciate that.

Interjections by hon. members.

Hon. Mr. Grossman: I appreciate he doesn't have that elitist approach that we don't give a damn for the other fellows or we don't give a damn for tradition. He doesn't put his feet up on the desk when he gets in here.

Mr. Lewis: Oh come on! The minister is pushing it a little too far.

Hon. Mr. Grossman: The hon. member for Welland gets in here and does his work, gets back to his office, does his work and confers with his constituents. Well, I am pushing it, okay?

Mr. Lewis: The minister knows what the hon. member for Welland does when he comes in here.

Hon. Mr. Grossman: Mr. Speaker, that is the kind of doubletalk—

An hon. member: He works every day of his life.

Hon. Mr. Grossman: —that I have heard for years and years and years from radicals, particularly from the modern radicals.

Mr. Ferrier: I can see those faces again.

Mr. Cassidy: Come on! Tell us about long-haired radicals. Be specific.

Hon. Mr. Grossman: I put up with that for years and years in my riding.

Mr. Lewis: Oh yes, when the minister saw those faces in the crowd.

Hon. Mr. Grossman: I go down to my constituency. I usually try to get there on weekends and knock on doors and go into the stores and talk to the people.

Mr. Breithaupt: Very good of him.

Interjections by hon. members.

Hon. Mr. Grossman: I guess it was two months ago, I dropped into a so-called community newspaper in my riding run by radicals. I don't know whether they get any federal government money. They may get a grant some place.

Mr. Lewis: What does he mean by "run by radicals"? What is he talking about? Is he talking about the Toronto Citizen?

Hon. Mr. Grossman: Yes, the Toronto Citizen.

Mr. Lewis: The Toronto Citizen? They attacked me, for heaven's sake.

Mr. R. F. Nixon: That's it. Let's go.

Hon. Mr. Grossman: I walked into the office to pay my respects to the editor and, lo and behold! the next edition said something about, "Grossman was in his riding last week ward-heeling." If you are a radical, you are not ward-heeling, you are "communicating with your constituents" and you are participating in a "participatory democracy." That is the sort of thing I am talking about. The doubletalk of the modern-day radical.

Interjections by hon. members.

Mr. Lewis: The minister is going to force me to a defence of the Toronto Citizen.

Hon. Mr. Grossman: I even remember an editorial after the election. They talked about the tremendous support Grossman got in certain areas. They said the islands were one of them and that was the sort of support he has built up over the years, "pockets of patronage." He got those people to support him. Every election on the islands there was one of them.

Mr. Breithaupt: Let the minister get his hands out of his pockets.

Hon. Mr. Grossman: But when my opponent, one of the "new radicals," supports the islanders as I have for years, "he's listening to the people." That's doublethink, doubletalk.

Mr. Lewis: That's right. That was the difference. That was the difference.

Hon. Mr. Grossman: The hon. members opposite make a great thing about speaking for the guy on the street—the working Joe, the guy who thinks like the working man. And then they give him—the hon. member for Welland who is, I think, a good, typical representative of that particular group—a rough ride, too. He represents the working man in his riding—they look down their noses at him and they jeer at him. I watched—

Mr. Lawlor: We hardly said a word to him.

Hon. Mr. Grossman: —another member of that party do that a few years ago and make a—

Mr. Deans: Who did?

Hon. Mr. Grossman: —disgrace of himself; he picked on the same hon. member. And, of course, yesterday—I wasn't here when he did it; I read it in Hansard—he made some apologies for some of the things he's been doing over the years. It should have come a few years ago, but however, I just thought in passing I'd give some of the things I've noticed from this side of the House, too.

Mr. Roy: He didn't apologize for anything he said about the minister.

Mr. Lewis: It was just an attack on the Toronto Citizen. It had nothing to do with this House. I don't know what the minister is so sensitive about.

Hon. Mr. Grossman: Mr. Speaker, referring to the doublethink and the doubletalk, you know, both of the leaders last night made some reference that the government underestimated the strength of the teachers, and so on and so forth. I don't want to get into the main thrust of the argument about the Education bill, because—

Mr. R. F. Nixon: Let's go over that one more time.

Hon. Mr. Grossman: Well, just a minute. The hon. Leader of the Opposition and the leader of the NDP both referred to it.

Mr. Lewis: Well, yes, but we didn't debate it. We talked in passing.

Hon. Mr. Grossman: They talked about the attitude of the government.

Mr. Lewis: No. As a matter of fact, we didn't.

Hon. Mr. Grossman: Well, I will quote the hon member, so be careful. He said "The government underestimated the strength of the teachers," and that was really the thrust of the Leader of the Opposition's arguments.

Mr. R. F. Nixon: No, the thrust was that the government's bill is wrong.

Hon. Mr. Grossman: The argument being that because we underestimated the strength of the teachers, we, in fact, based our decision on where we thought the strength lay. That was the thrust of their argument.

Mr. Lewis: It wasn't. The government's bill is wrong.

Interjections by hon. members.

Mr. Breithaupt: That is known as politics.

Mr. R. F. Nixon: We thought only the Premier knew what the decision is.

Hon. Mr. Grossman: There's an indication, if you listen to their arguments—and I would suggest they read some of their own comments—the implication is that they didn't underestimate. They estimated the strength correctly and, therefore, they took their position where they felt the strengh lay. You see, they did exactly what they argued the government did—

Mr. D. M. Deacon (York Centre): Don't be silly! The minister knew the polls were 70 per cent against the teachers.

Hon. Mr. Grossman: —because they had seen it correctly.

Mr. Lawlor: The hon. member is misleading himself, Mr. Speaker.

Hon. Mr. Grossman: They are, of course, never thinking of votes. We were thinking of votes; they never think of the votes.

Mr. Roy: Right!

Hon. Mr. Grossman: They are really self-righteous, they never think of votes. I hate to pick on the NDP this morning—

Mr. Roy: Very perceptive.

Hon. Mr. Grossman: —but talking about only doing the right thing—

Mr. Singer: Let's vote, the minister has convinced me.

Hon. Mr. Grossman: —the hon. member for Port Arthur wrote that really self-righteous letter to the Globe and Mail this morning—

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Oh, he won't be back. He won't be back.

Mr. R. F. Nixon: I didn't see that letter. Where is the self-righteous letter?

Hon. Mr. Grossman: —and he pointed out they knew that the strength wasn't on their side and they did the right thing.

Mr. J. A. Renwick (Riverdale): There wasn't anything particularly self-righteous about it.

Hon. Mr. Grossman: They don't think of votes at all.

Interjections by hon. members.

Mr. Renwick: It was a damned good letter!

Mr. Foulds: I didn't say that. The minister is misquoting me worse than the Globe. I didn't say that at all.

Mr. Roy: The member's letter is much too long. I can't read it all.

Hon. Mr. Grossman: If they're not thinking of votes, let's put on the record some of the doubletalk of the NDP again. The members all saw that article in the Globe and Mail on Dec. 15, and let me just quote a little from it: "Preparing for the next Ontario election," says the heading, "NDP turning to conservatism with small 'c'."

Mr. R. F. Nixon: Small "c"!

Mr. Breithaupt: It is like being reactionary with a small "r."

Hon. Mr. Grossman: Listen to this: "In a change of tactics—"

Mr. Lewis: Sorry to leave right now.

Hon. Mr. Grossman: "In a change of tactics but not policy—" You know, that phrase by itself is such a cynical, such a damning approach—

Mr. R. F. Nixon: Are they cynical, too?

Hon. Mr. Grossman: —to politics, that that should condemn that party in perpetuity.

Interjections by hon. members.

Mr. Cassidy: The minister was put up to this because he never reads the church pages in the Globe and Mail.

Hon. Mr. Grossman: "—the Ontario New Democratic Party has decided—"

Mr. Renwick: I am sorry the minister found that. That was buried in the women's section of the paper and we hoped he wouldn't see it.

Hon. Mr. Grossman: —"its future lies in being small 'c' conservative, party provincial secretary Gordon Vichert said yesterday."

An hon. member: Doubletalk—

Hon. Mr. Grossman: "Speaking 'informally'—" I guess they wish now it had been informally—"to reporters"—

Mr. R. F. Nixon: Vichert has been defeated three times.

Hon. Mr. Grossman: —"summoned to NDP offices at Queen's Park"—

Interjections by hon. members.

Hon. Mr. Grossman: —and that is a new way to speak "informally," incidentally, Mr. Speaker.

Interjections by hon. members.

Hon. Mr. Grossman: Call a press conference and speak "informally." Try that one for doubletalk.

Mr. R. F. Nixon: That is democratic socialism.

Hon. Mr. Grossman: "Speaking 'informally' . . . Mr. Vichert said the new tack in preparation for the next provincial election 'is not, I think, being unsocialist. It is socialist in the traditional way to preserve and reassure.' "

Boy, there is doubletalk if I ever heard it. The report says: "The party has been emphasizing 'keeping small communities viable, keeping people on the farm. slowing the rate of growth,' Mr. Vichert said."

Mr. Cassidy: We sent him organizing to Labrador for a week to make up for that article.

Mr. Renwick: The minister is getting to us. Get on to the next point; it is too embarrassing.

Hon. W. G. Davis (Premier): The member for Riverdale is swerving.

Interjections by hon. members.

Hon. Mr. Grossman: It says: "We see the Tory government as agents of change now—destroying the educational system, pushing expressways through."

Mr. Foulds: Lay off there.

Hon. Mr. Grossman: " 'We want change too—' " Listen to this one: " 'We want change too, but we are not presenting ourselves as the agents of change.' " Try that one for doubletalk.

Mr. Eaton: Is he still working for the NDP?

Hon. Mr. Grossman: "Mr. Vichert said socialism—" listen to this one; it gets worse, or better, depending on which side you're on.

Mr. Cassidy: We did this so the minister would have something to talk about in this windup.

Hon. Mr. Grossman: "Mr. Vichert said socialism has 'always in one sense been small "c" conservative because it is based on community action—' "

Mr. Renwick: Thank God it was a short article.

Hon. Mr. Grossman: " '—and is closer to the roots of western culture than the competitive, individualistic view.' "

Boy, if that isn't doubletalk; that's one—

Mr. Foulds: Well said.

Mr. Cassidy: There was some good stuff in that article too.

Interjections by hon. members.

Hon. Mr. Grossman: But you know, there is a little more. I quote from the Varsity, another great paper printed in my constituency. On Dec. 3: "NDP Official Wants Conservative Image For Party."

Say—we are so terrible over here, everybody wants our image. How come?

Mr. Renwick: This is embarrassing, I admit that.

Interjections by hon. members.

Hon. Mr. Grossman: "We are truest to our principles and to the realities of Ontario politics—"

Mr. Roy: Can the members see the member for Ottawa Centre sitting over there?

Hon. Mr. Grossman: "—when we present ourselves as a party of small 'c' conservative." This is a quote of the same Ontario NDP provincial secretary, Gordon Vichert, in speaking to an OISE audience Wednesday evening. How's that one for doubletalk?

Mr. Cassidy: Our leader is out phoning him right now, as a matter of fact.

Mr. Renwick: Going to keep him in his office for a while.

Hon. Mr. Grossman: In other words, he feels the principles of our party are so much better for Ontario that they are true to their principles if they present themselves as what we are.

"Speaking on the intellectual crisis—" those are the only kind of crises that the NDP socialists ever admit.

Mr. Cassidy: The problem is the Conservatives are no longer what they were and somebody has got to fill the vacuum.

Hon. Mr. Grossman: They are always "intellectual crises," you know.

Mr. Foulds: Well that hardly has to be said, that is obvious.

Hon. Mr. Grossman: They are all intellectuals and that's all they have—"intellectual crises."

Hon. Mr. Davis: They have a real crisis of lack of intellectuals; I would agree with that.

Hon. Mr. Grossman: "Speaking on the intellectual crisis" which the NDP faces—

Interjections by hon. members.

Hon. Mr. Grossman: "Speaking on the intellectual crisis which it faces as it rises from the task of basic survival"—

Mr. Deans: I can put up with it from him; but oh, that was nasty. I mean, I understand this is his final speech. I realize—

Hon. Mr. Grossman: To continue the quote: "—to face the challenge of majority party status, Vichert focused on two major traumas of the Ontario party's recent history."

Here's what he said:

> The 1971 provincial election results were a shock, which would have told us a great deal about the history of alienation from the public pulse.

Mr. Deans: Some of us expressed it even more forcefully than that.

Hon. Mr. Grossman: " 'The party set out on a crusade in a year when the desire for change was confined to New Democrats.' "

Mr. Renwick: Mr. Speaker, isn't he breaching the rules by reading from this document at such length?

An hon. member: Do the standing orders allow it?

Hon. Mr. Grossman: " 'The public, after a decade of terrorizing changes in their life-standards and expectations, wanted security and we offered them more change,' he lamented."

Interjections by hon. members.

Hon. Mr. Grossman: " 'We should have charged the Liberals and Conservatives with destroying familiar environments and the quality of life, and presented ourselves as the strongest organization against capitalism and mindless destruction,' he argued."

Mr. Renwick: Oh Mr. Speaker, please stop him.

Mr. Cassidy: That's right.

Hon. Mr. Grossman: To continue:

"In that way he felt the party could have been simultaneously more conservative, more radical and more popular with the voters." If the public swallows that they'll swallow anything, I can tell the hon. member that.

Mr. Eaton: Just like the member for Don Mills (Mr. Timbrell) said.

Interjections by hon. members.

Hon. Mr. Grossman: The hon. Leader of the Opposition last night made some comments that the NDP leadership was concerned about its position, and of course the leader of the NDP retaliated by saying that the hon. Leader of the Opposition wasn't too secure either.

All I can tell them is that over here, the leader has no such concern. He is the leader of our party, without a doubt.

Incidentally, Mr. Speaker—

Mr. Roy: That's why he spent all night with the teachers.

Hon. Mr. Davis: Be careful how that is phrased.

Mr. Cassidy: The member for Port Arthur was there. He heard every move.

Hon. Mr. Grossman: Incidentally, the Leader of the Opposition also referred to government deficits—I'll deal with that a little later—and he made the statement, as he has in the past, he's repeated this on a number of occasions—

Mr. Deans: This minister is the only person who uses incidental remarks.

Hon. Mr. Grossman: The Leader of the Opposition has said this government will have

to raise its own taxes for its revenue; but of course he did not make any recommendations as to what kind of taxes, what new taxes he thinks we should impose.

Mr. R. F. Nixon: Talk about controlling expenditure! It has gone up $2.5 billion since the Premier took over.

Hon. Mr. Grossman: He has not recommended which taxes we should increase.

Interjections by hon. members.

Mr. Eaton: The policy secretary from Ottawa agreed.

Hon. Mr. Grossman: We would appreciate a little help from the Leader of the Opposition; would he just tell us where we should increase our taxes and which new taxes we should impose?

Hon. Mr. White: Yes, let's hear that.

Hon. Mr. Grossman: It would be very helpful.

Interjections by hon. members.

Mr. Roy: Then when we do, they complain about it.

Hon. Mr. Grossman: Mr. Speaker, I watch the hon. Leader of the Opposition, in this House with a great deal of admiration, I really do.

Mr. R. F. Nixon: Oh, oh; I don't like the way this is starting.

Hon. Mr. Grossman: He has a great deal of intelligence. He presents a very good case, he really does.

Interjections by hon. members.

Hon. Mr. Grossman: Actually, his problem is that of any opposition leader, and that is they just have to wait and find out whether the people want a change in government or not. And he really is, he is the best leader they've had over there, certainly in my time.

Mr. Roy: We had good evidence of that in March.

Hon. Mr. Grossman: His problem is this, that when he tries to get politically cute he gets into trouble.

Mr. R. F. Nixon: I have only got one?

Hon. Mr. Grossman: That's the only time he really gets into trouble. He makes a great deal of sense, normally, when he's presenting a case; but when he gets up and tries to be politically cute—for instance, as he tried to be politically cute on the Hydro building investigation. The Liberals all sign their names to a report—

Mr. Roy: Pretty cute then!

Hon. Mr. Grossman: —and then when they come into the House the Leader of the Opposition tries to be cute, he tries to be on both sides of it. He comes in here with something which in fact says the select committee—

Mr. R. F. Nixon: Both sides of it?

Mr. Breithaupt: There is only one side.

Hon. Mr. Grossman: —and our Liberal members on the committee, really didn't mean what they said.

Mr. R. F. Nixon: The government is even letting its own resolution die on the order paper.

Hon. Mr. Grossman: That's in fact what he said.

He got involved, of course, on this last bill, which is this great controversial education bill; and of course he knew what they were voting for on first reading. The Minister of Education (Mr. Wells), before the orders, gave a long statement explaining precisely what the bill was—

Mr. R. F. Nixon: Go over that in more detail. The minister's case is really weak.

Hon. Mr. Grossman: His party took a stand, and then he tried to be politically cute.

Mr. Roy: How about the energy tax?

Hon. Mr. Grossman: Now he's on nobody's side or on everybody's side whichever way you want to look at it, Mr. Speaker.

Mr. Roy: What about the energy tax?

Hon. Mr. Grossman: Usually he winds up being on nobody's side, because he's trying to be Machiavellian and he just isn't good at it.

Now if the hon. Leader of the Opposition wants some lessons on how to be Machiavellian, take a few lessons from the leader of the NDP. They really know how.

Mr. Lewis: Why is the minister being so personal?

Hon. Mr. Grossman: They really know how.

Mr. Breithaupt: How about the minister's vote on the energy tax?

Hon. Mr. Grossman: Just one further comment to the comments of the Leader of the Opposition. I just couldn't help making a note here: In view of his actions on Bill 274—

Mr. Lawlor: We have been watching the minister's party for years.

Hon. Mr. Grossman: —for him to make the charge that this government's approach, and particularly the Premier's—he said of the Premier, his words were, "the cynical approach of the Premier on 274." All I could think of is: "Look who's talking."

Mr. R. F. Nixon: Yes, look who is talking.

Hon. Mr. Grossman: I mean, talk about a cynical approach. How can it be any worse than the approach that party and its leader took?

Interjection by an hon. member.

Hon. Mr. Grossman: They took it on both sides.

Mr. Lawlor: We have been watching the Tory party for years.

Hon. Mr. Grossman: Even the teachers who are very militant in this position—I've talked to a few of them too—even those who are militant sort of laugh about the Liberal Party in view of these actions.

Interjections by hon. members.

Hon. Mr. Grossman: I would suggest that the hon. Leader of the Opposition—

Interjections by hon. members.

Hon. Mr. Grossman: —keep in mind that he does a good job as Leader of the Opposition when he sticks to facts, when he sticks to the issues at stake, and doesn't try to be what he isn't—because that's the most difficult job in the world.

Mr. Breithaupt: My leader will do a better job as Premier.

Hon. Mr. Grossman: The leader of the NDP? He's a bit of a Machiavellian character. He knows how to handle it. That's his forte. He's not as convincing; although he's a good speaker. He has tremendous presentation, one can listen to him. He puts up some pretty attractive arguments; he's very good at it.

Mr. Roy: He's colourful.

Mr. R. Haggerty (Welland South): He's had the minister worried!

Hon. Mr. Grossman: But their greatest forte in the NDP is, of course, they know how to be Machiavellian—except sometimes when he is played a dirty trick by some of the officials of the party who have these informal press conferences and they give their Machiavellian plans away. The Leader of the Opposition shouldn't choke.

Mr. Lewis: That was the last informal press conference.

Hon. Mr. Davis: I don't doubt it.

Mr. Lewis: On a point of privilege. There will be no more informal press conferences. That was sorted out very quickly.

Hon. Mr. Davis: Did the member fire him?

Hon. Mr. Grossman: If one lives long enough one sees so many things. The hon. member for High Park—I don't want to be personal because after all after all these years we got exactly what I know he was going to do a few years ago. I wish I could have kept my patience then.

Mr. Lewis: The minister is being quite personal this morning.

Hon. Mr. Grossman: He attacked and he attacked and he called me all kinds of names, and other members all kinds of names.

Mr. Roy: Did he hurt the minister's feelings?

Hon. Mr. Grossman: As I said, I watched that man knowing that he would eventually get to the stage where I really thought he would get out of his seat some day and walk over here—

Mr. Breithaupt: He may still.

Hon. Mr. Grossman: —if he thought he was welcome. He told me before he went into that party, when he had that hassle as the chief coroner at that time, all he wanted to do was be a cabinet minister. I said, "For which party?" He said, "I don't care." Everybody, as I say, wants to be a small c conservative.

That's where the leader of the NDP slipped when he allowed his party to get involved in that press conference. If one wants to be Machiavellian one has got to handle it the way good old Machiavelli did; he wouldn't have had a press conference.

Mr. Lewis: But he was a prince.

Hon. Mr. Davis: So is the member some days.

Hon. Mr. Grossman: I mean, one must be careful.

Interjections by hon. members.

Hon. Mr. Grossman: His father is now running the country, so he's Prime Minister. He has the crown, unofficially and the member is a prince.

Mr. Lewis: Just make sure Hansard gets that.

Hon. Mr. Davis: He could distribute that to his constituents.

Hon. Mr. Grossman: Mr. Speaker, we have our issues, of course, in this jurisdiction. They are very difficult ones; and in respect of this government going from crisis to crisis, I'm not too sure there is any government in the world today that isn't doing exactly the same. We are living in turbulent times.

I was listening to the debate on agriculture, about the farmlands and so on. It was a very interesting debate.

Mr. Haggerty: We don't have to—

Hon. Mr. Grossman: The opposition, particularly the leader of the NDP, was blasting this government for its "apparent lack of concern over the retention of farmland," which is utter nonsense, of course. This government has done everything possible, and is continuing to do everything possible, not only for the retention of farmland but to make sure that families keep their farms. That is reflected in our tax position; it's reflected in credits to farmers, etc.

He knows perfectly well, as does every member in this House, that every country in the world is having this problem. It's really a sociological problem. The hon. leader of the NDP knows that perfectly well and so does the hon. Leader of the Opposition.

Mr. Cassidy: The Dutch are creating farmlands.

Hon. Mr. Grossman: People are just gregarious, they want to get into the cities where the action is; and that's a very difficult problem.

Mr. Cassidy: Britain produces more of its food supply—

Hon. Mr. Grossman: I'm not suggesting it doesn't mean that we shouldn't continue to attack the problem, but it's a difficult problem and every country in the world has this problem.

Mr. R. F. Nixon: People from the cities are trying to go to the country.

Mr. Haggerty: That's a good apology from the minister.

Hon. Mr. Grossman: If the Leader of the Opposition could find some formula by which we can make this exchange, we'd be very pleased to consider it, except that—

Mr. R. F. Nixon: I hope to get back there myself today.

Hon. Mr. Grossman: —the boys from the city may want to go out to the farm but apparently they don't want to stay there permanently. In fact, I was considering it at one time myself. One of these days, maybe, I'll be retiring and I thought maybe I'll go out on a farm.

Mr. R. F. Nixon: Why doesn't he buy one of the Solicitor General's (Mr. Yaremko's) lots?

Hon. Mr. Grossman: Then the Leader of the Opposition got up and gave such a tremendous commercial for the farms that I changed my mind. He drew a picture of getting up at 5 o'clock in the morning at 20 below zero and wading through 8 ft of snow; so I said, "To hell with it. It isn't for me."

Interjections by hon. members.

Hon. Mr. Grossman: If the Leader of the Opposition was trying to give a commercial for the farmers, he didn't do them any justice in that one; it was a negative sort of commercial.

Interjections by hon. members.

Hon. Mr. Grossman: Mr. Speaker, while we have our issues in this House, where we talk about and legislate for the needs of the citizens, we mustn't allow ourselves to become involved so much in our own problems that we forget how dependent we are on other forces, many of which are to a great extent beyond our control—

Mr. Roy: Is the minister in the serious part of his speech now?

Hon. Mr. Grossman: Yes, does the member want to leave now? Does he want to hear anything serious?

Mr. Roy: Is it good?

Hon. Mr. Grossman: It's all good.

Mr. R. F. Nixon: It is not really all that interesting, but go ahead.

Hon. Mr. Grossman: Within the past few weeks we have witnessed a number of developments in the economy which give rise to some basic question for Ontario and for Canada over the next year or two. I'll just touch on four related issues to which this nation must address itself.

First is the continuing and debilitating effect of inflation, which cannot and must not be ignored. For at no time since the Korean War, which is almost a generation ago, have we experienced price increases of the present scale. We shouldn't fool ourselves about that.

Perhaps of equal importance are the recent developments in the world energy crisis, which have produced spectacular declines in stock market prices and have led to great uncertainty in the forecasted economic activity for the coming year. I should say here, Mr. Speaker, it wouldn't be appropriate to assume that any possible downturn in the economy would automatically solve inflation.

The third significant issue is one raised a few weeks ago by the tenth annual review of the Economic Council of Canada, concerning the growth of the government sector in Canada and the need for co-ordination between the federal government and the provinces of their respective economic policies.

Lastly, I'll touch on the continuing fiscal imbalance which exists as between the federal government and the provinces and municipalities, given their respective responsibilities.

All of these issues, this government believes, require urgent consideration and discussion by the first ministers of Canada and the 10 provinces, and it is within this context that I should like to comment on the state of the economy and on some of the implications for Ontario.

Members will recall that a second progress report on the performance of our 1973 budget was recently made available.

The current forecast is for expenditures to increase by about one per cent over the original budget plan, while revenues are now expected to be about one per cent lower than estimated.

It is interesting to note that the bulk of this reduction in our revenues is related to arbitrary federal government actions, which have resulted in our receiving—and I wish the Leader of the Opposition would pay attention to this one—which have resulted in our receiving some $48 million less than we had anticipated.

Mr. Cassidy: This government has been blaming Ottawa for its own inequitable tax system for far too long.

An hon. member: Not even an explanation.

Hon. Mr. Grossman: First, Ottawa decreased by $29 million its estimate of personal income tax collections for Ontario. Second, federal officials disallowed approximately $19 million which Ontario claimed for its extended health care programme.

The contrast between the Ontario and federal current budget positions is striking. Massive revenue growth has enabled the federal government to initiate a number of costly expenditure programmes at the same time as it has been able to make some tax cuts.

Mr. R. F. Nixon: That's good management.

Hon. Mr. Grossman: For example, the federal government has been able to substantially increase family allowances and to index personal income tax. The potential for growth in federal revenues is phenomenal; and if it were not for the federal personal and corporate income tax cuts, it is conceivable that federal government revenues would have advanced by 25 to 30 per cent during the fiscal year. Next year, it is estimated that the federal expenditures will increase in the neighbourhood of 20 to 25 per cent.

In its review, the Economic Council of Canada pointed out that in 1972 government expenditures reached 38.5 per cent of the gross national product, almost double the 22 per cent share of the GNP which existed at the beginning of the 1950s, and significantly higher than the 31 per cent in 1966.

Not only has the state's role in economic activity greatly expanded but, as the council has noted, government "transfer payments have shown the most pronounced acceleration in recent years," indicating that the redistribution of income rather than spending on goods and services is increasingly being emphasized by government.

For example, transfer payments to individuals rose by 18.4 per cent in 1971, 19.3 per cent in 1972 and are likely to increase by 14.5 per cent in 1973 and a further 21 per cent in 1974.

In total, transfer payments have increased much more rapidly than gross national pro-

duct in the last few years, and this trend is expected to continue until at least 1976.

Such rapid growth of transfer payments is a source of concern to the council and is of very real concern to the Ontario government, for along with the increased emphasis on income redistribution, there has also been a shift towards a greater demand for provincial and municipal services.

A number of increases in transfer payments to individuals introduced by the federal government were strongly needed and long overdue. However, the continuing high costs involved in the unemployment insurance programme are an area of particular concern to Ontario.

In 1961, provincial and municipal expenditures accounted for 44 per cent of net government expenditures. By 1968 this had risen to 52 per cent, and by 1971 to 55 per cent. While this growth is not difficult to understand or to appreciate, given provincial and municipal responsibilities, it does emphasize again the growing imbalance in our federal system between the expenditure responsibilities and the present distribution of the total tax resources our economy can reasonably be expected to generate.

Local governments, for example, face growing demands for services, while their tax resources are insufficient to cover even present levels of services. In Ontario, we have acted to enlarge the financial base of municipalities by reforming the property tax and transferring provincial funds to local governments.

During the past four years, Ontario has carried a larger relative deficit burden than the federal government, despite the latter's superior tax base and borrowing capacity, in order to stimulate Ontario's economy and to transfer funds to local government.

At the national tri-level conference in Edmonton, the Treasurer pointed out that this province will continue with its strong commitment to the improvement of the financial position of local government in Ontario.

At that meeting, he stated that Ontario's financial transfers to local government will grow at the same rate as the growth in total provincial revenues and that municipal borrowing capacities will be strengthened. However, even with these levels of support, deficits in the local sector will continue to increase.

Ontario cannot continue to carry an unfair share of the deficit burden, and has repeatedly called upon the federal government to recognize this fact. Federal tax-sharing with Ontario must be increased and we have stated, Mr. Speaker, that any increase will be delivered, dollar for dollar, to local governments.

It has been our position for some time—and this position is well documented—that a thorough overhaul of federal-provincial economic and fiscal relations is required.

At the meeting of finance ministers in October, 1971, for example, the Treasurer of Ontario pointed out that, "in the vital area of federal income redistribution and income security policies, there is a profound lack of harmony with the tax system."

A month later, at the meeting of first ministers in November, 1971, the Premier indicated that the Ontario government was "greatly concerned about the lack of a co-ordinated overall approach by the federal government" with respect to how income security problems are meshed with changes in tax burdens.

Although the federal government has largely ignored our warnings concerning this matter, I would hope it will now heed the warnings of an independent body such as the Economic Council of Canada.

That council has laid great stress on the increasing importance that government programmes and policies be harmonized as between governments, and that government decision-makers be integrated with private sector decision-making "to better ensure the attainment of long-term national economic objectives."

The council further recommended that "better co-ordination between the federal and provincial levels of government on expenditure policies directed towards the achievement of longer-term stabilization objectives" is essential, and that "federal and provincial governments should direct a body of officials to undertake preparatory work towards formal harmonization of policies, which is virtually indispensable to the achievement of national economic targets."

Mr. Speaker, Ontario endorses these views. Indeed we have been recommending much the same thing for a number of years.

There is no doubt at all that Canada faces some very serious problems that require ongoing high-level liaison on national goals, economic policy options and technical means for their attainment.

In the energy area, for example, the possibilities of energy shortages and prospects of price increases in Ontario and across Canada are matters of deep concern to the government. While we do not presently anticipate major fuel shortages in Ontario, we have re-

cently taken steps to encourage the efficient and prudent use of energy. We are very concerned about the possibilities of hardship in Quebec and the Atlantic Provinces arising from potential energy shortages.

To some economists, the prospective energy shortages in the United States could have serious and immediate unsettling effects on the US economy. Such effects could have economic consequences for the Canadian economy. Accordingly, the government is examining the immediate and short-term economic impact of energy shortages in the United States and Canada.

Mr. Speaker, it is obvious therefore that the current economic situation must be discussed at the highest level if Canadians are to have confidence that their government is acting in a responsible and co-ordinated manner to prevent hardships and possible deterioration in our standard of living.

This government has consistently followed a policy of working with other provincial governments and the federal government to seek national solutions to our economic problems, which can only be dealt with effectively in a national context with all governments co-operating.

I regret to say that our efforts to gain the co-operation of the federal government for a conference of first ministers on economic issues have met with a very disappointing response.

Two months ago, our Premier appealed to the Prime Minister of Canada for the federal government to meet with the provinces in November to consider all practical measures to control inflation. Our Treasurer sent a similar request to the Minister of Finance on October 18, also urging an early meeting.

In his reply, the Prime Minister rejected the need for a conference to co-ordinate our approaches to the economic situation and stated that the "comprehensive set of measures" that the federal government has been employing represent "a flexible, evolving strategy against inflation."

The Prime Minister's reply came more than a month after the Premier had proposed such a conference. The reply said that the earliest date upon which there could be any federal-provincial discussion of economic issues was at the regular finance ministers conference next January. The reason given was that a meeting before then would not be meaningful because the necessary background material could not be adequately prepared by the participating governments.

Our government, of course, is disappointed that the federal government has shown such reluctance to discuss the economic issues facing this country with the provincial governments, and indeed seems reluctant to co-ordinate federal economic policy with that of the provinces.

Mr. Haggerty: Did he tell this government to remove the extra two per cent sales tax?

Hon. Mr. Grossman: No, he didn't. He just told us to go and get all the money we needed with our own taxes while he took all the cream off.

As our Premier has already indicated to the House, he has proposed to the Prime Minister that the first ministers take the opportunity, while they are together in January at the energy conference, to discuss also the current economic situation and outlook. Such discussion could take place on the afternoon of Jan. 23 and extend into the morning of Jan. 24, when the finance ministers are scheduled to meet.

There is little doubt, Mr. Speaker, of the importance of such a discussion by the first ministers at this time, not only because of the uncertainty which the energy crisis has given to the economic outlook next year but also because of the need to assure the citizens of Canada that their governments are co-ordinating their efforts to deal with price increases. The public today just will not be satisfied with an answer that it is somebody else's responsibility. They don't understand that today and they don't care. They say, "You governments should get together," and that's what we're trying to do.

Mr. Foulds: Well, why don't they do it?

Hon. Mr. Grossman: Mr. Speaker, it is with these issues in mind that the Premier has asked the Prime Minister to consider the proposal just outlined and we hope he will respond positively. We know, Mr. Speaker, that insofar as our own problems here are concerned, the solutions of the opposition are always very simple. As I admitted earlier, I don't know—I've never been in opposition and don't intend to be—but perhaps if I were there, I would have this negative approach too.

Mr. R. F. Ruston (Essex-Kent): We know now the minister is going to quit at the end of this term. We know he won't be running again.

Hon. Mr. Grossman: Don't make plans on that basis.

An hon. member: The minister will be here forever.

Interjections by hon. members.

Hon. Mr. Grossman: The solutions of the opposition are very simple. Keep people on the farm; don't let the farmland be used for housing; fight multiple housing in the cities; don't let housing spread into the rural areas; don't let it go vertical in the cities; don't let it go horizontal or it'll get out into the rural areas; but build more housing. That's just one example.

Interjections by hon. members.

Hon. Mr. Grossman: Members will recall when I was struggling with this problem. You weren't to go vertical, you weren't to go horizontal, so I was trying to get somebody to do some research to see whether we could build subterranean. No one's come up with any solution along those lines.

The opposition, of course, wants us to bring farm prices up and lower food prices to the consumers; which is very nice if one can do it. They want us to pay higher wages; they want everyone to pay higher wages. Expand social programmes; keep taxes down; reduce the debt. These are all old chestnuts.

This is not the only time I have wound up a budget debate. I've done it on a number of occasions.

Mr. Breithaupt: That's about the size of it.

Hon. Mr. Grossman: The thing we used to do was add up all of the things the opposition were pressuring us to do. Such as back a few years ago when they were saying put more money into the schools; put millions into the buildings. They were pressuring us to do this and do that. Then, when all this was done, they said we spent too much money on schools and education and all that sort of thing.

Mr. Foulds: We never pressed the government to do that!

Hon. Mr. Grossman: Of course, this is one of the problems when one makes too many recommendations for the expenditures of funds. Someday somebody's going to say, as I am to members now, this is the money we spent, which they were saying we should be spending.

These are simplistic solutions, Mr. Speaker; but there are no simplistic solutions, today particularly. In view of the situation, which I have outlined, it must be apparent—particularly in view of the situation with respect to the balance of taxation and the imbalance of revenues as between the federal government and the province—that the government should be commended for managing, in spite of this situation and in spite of the imbalance of revenues and so on, for producing this budget and, at the same time, maintaining Ontario's position as one of the healthiest in the western world.

Hon. Mr. White: That's right.

Hon. Mr. Grossman: I mean, everybody must agree to that. That's so obvious to everyone.

Therefore, Mr. Speaker, I am sure the hon. members, having considered the original motion and the two amendments, will certainly vote against the amendments and approve the government's budgetary policies.

Mr. Speaker: This completes the budget debate. I will put the motion and the amendments. The main motion was that this House approve in general the budgetary policy of the government.

Mr. Breithaupt moved, seconded by Mr. R. F. Nixon, that all the words after "that" be struck out and the following added:

> This House regrets the regressive and inflationary increases in the retail sales tax and the inadequacy of the tax credit to offset the regressive nature of this tax; this House regrets the extension of the retail sales tax to include energy, which will work a particular hardship on families with low or fixed incomes, and energy consumption is as much a necessity of life as food; this House regrets the imposition of tax increases of any kind which counteract the initiatives taken by the federal government to spur the economy through this reduction of taxes; this House regrets the inability of this government to control costs, particularly in the field of health services, and the failure of this government to adopt the tender method for the granting of government contracts for building construction, which could save millions of dollars annually; and this House regrets the failure of the government, once again, to provide adequate proposals to assist in the economic development of northern Ontario.

Mr. MacDonald then moved, seconded by Mr. Lewis, that the amendment be amended by adding the following:

> That this House deplores the fact that the government proposes to raise regressive

taxes at the provincial level, ostensibly to relieve equally regressive taxes at the municipal level; that this House urges the government to finance sales tax and pensioner credits and larger municipal grants from the greater revenues which come in during the year beyond the underestimates of the budget; and that further needs of our people, notably a fully implemented property tax stabilization plan, a sharing of the income tax field with local governments, and a massive housing programme, should be financed through a progressive tapping of the new revenue sources in the resources, succession duties and capital gains field.

The House divided on the amendment to the amendment which was negatived on the following vote:

Ayes	Nays
Bounsall	Allan
Breithaupt	Apps
Burr	Auld
Campbell	Beckett
Cassidy	Bennett
Deacon	Birch
Deans	Brunelle
Edighoffer	Carruthers
Ferrier	Carton
Foulds	Clement
Germa	Davis
Good	Downer
Haggerty	Drea
Laughren	Dymond
Lawlor	Eaton
Lewis	Evans
Martel	Ewen
Newman (Windsor-Walkerville)	Gilbertson
	Grossman
	Guindon
Nixon (Brant)	Hamilton
	Handleman
Renwick	Havrot
Riddell	Henderson
Roy	Hodgson (Victoria-Haliburton
Ruston	
Singer	Irvine
Spence	Kennedy
Worton—26.	Lane
	Lawrence
	Leluk
	MacBeth
	Maeck
	McIlveen
	McNeil
	Meen
	Miller
	Newman (Ontario South)
	Nixon (Dovercourt)
	Potter
	Reilly
	Root
	Rowe
	Scrivener
	Smith (Simcoe East)
	Snow
	Stewart
	Taylor
	Timbrell
	Turner
	Villeneuve
	Wardle
	Welch
	White
	Winkler
	Wiseman
	Yakabuski
	Yaremko—57.

Clerk of the House: Mr. Speaker, the "ayes" are 26. The "nays" are 57.

Mr. Speaker: I declare the amendment to the amendment lost.

All those in favour of Mr. Breithaupt's amendment to the motion will please rise.

Mr. Breithaupt: Same vote, Mr. Speaker.

Mr. Speaker: Same vote? In reverse.

Mr. Breithaupt: I wish it were. I wish it were.

Mr. Speaker: Same vote! I then declare the amendment lost.

All those in favour of Mr. White's motion that this House approve in general the budgetary policy of the government will please rise.

Mr. Breithaupt: Reverse the vote.

Interjections by hon. members.

Mr. Speaker: Reverse? Agreed!

I declare the motion carried.

SUPPLY ACT (No. 2)

Hon. Mr. White moves first reading of bill intituled. An Act for granting to Her Majesty Certain Sums of Money for the Public Service for Fiscal Year ending March 31, 1974.

Motion agreed to; first reading of the bill.

Mr. Lewis: Mr. Speaker, on a point of information—point of order for you—does this

not constitute the final Act in the supply proceedings; and then would not a motion of non-confidence be appropriate at any time in the session prior to this motion being passed?

Mr. Speaker: I should inform the hon. member for Scarborough West and the House generally that the deliberations on supply have, in fact, been completed. This bill is simply a procedural bill or formality to make the budget – put it in the statutes. This is really a formality.

Mr. Lewis: But we can debate this bill.

Mr. Speaker: The deliberations on supply have been completed.

Mr. Lewis: But we can debate this bill.

Mr. Speaker: It does not come under that particular rule pertaining to supply. It's a separate bill.

Mr. Renwick: But we could debate the bill.

SUPPLY ACT (No. 2)

Hon. Mr. White moves second reading of bill intituled, An Act for granting to Her Majesty Certain Sums of Money for the Public Service for Fiscal Year ending of March 31, 1974.

Mr. Deans: Well, may I ask, Mr. Speaker, on the principle of the bill—isn't it customary that the bill should be printed and on the order paper before proceeding through the House?

Mr. R. F. Nixon: Not this one.

Mr. Speaker: This particular bill is called the supply bill.

Mr. Deans: I know what it is called.

Mr. Speaker: It's the bill to implement the agreement on the deliberations of supply.

Mr. Deans: That's right.

Mr. Renwick: It is not different from any other piece of legislation.

Mr. Speaker: Never at any time has this bill been debated nor printed nor submitted to the House. This sort of bill is strictly, as I said, a formality to implement and put into the statutory provisions the bill.

Mr. Lewis: On a point of order, Mr. Speaker—obviously this is going to go—but on a point of order, any bill is subject to debate in this House, ritual or not; and certainly one which, to use your words, "concludes supply." And I submit to you, sir, for future reference, maybe next year or thereafter, that until this bill is formally passed by this House, supply is always open; and therefore the rules and regulations of this House would allow a non-confidence motion as put—and that the interpretation that was put before was far too restrictive on the rules of the House.

Mr. Speaker: I do appreciate the comments of the hon. member for Scarborough West, and I will certainly give them thorough consideration. I do not however, agree with his submission, having reviewed the rules quite thoroughly. Based upon custom in this House, I believe we are taking proper and correct procedure. I will be pleased to consider his remarks for another time; and we know there is a report before the House which will be debated or considered, possibly be implemented in full or in part, at some future time. I assure the hon. member we will take his submission into consideration.

The motion is for second reading of the bill; shall the motion carry?

Motion agreed to; second reading of the bill.

THIRD READING

The following bill was given third reading upon motion:

Bill 278, the Supply Act, 1974 (No. 2).

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, the Honourable the Lieutenant Governor awaits to give assent to this bill.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the legislative assembly and took his seat upon the throne.

ROYAL ASSENT

Hon. W. Ross MacDonald (Lieutenant Governor): Pray be seated.

Mr. Speaker: May it please Your Honour: We, Her Majesty's most dutiful and faithful

subjects of the legislative assembly of the Province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill intituled, An Act granting to Her Majesty Certain Additional Sums of Money for the Public Service for the Fiscal Year ending March 31, 1974.

Clerk of the House: The Honourable the Lieutenant Governor doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

It being 12 o'clock, noon, the House took recess.

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No. 183



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Third Session of the Twenty-Ninth Legislature

Thursday, December 20, 1973

Afternoon Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 20, 1973

The House resumed at 2:05 o'clock p.m.

DEATH OF FORMER MPP

Mr. Speaker: Just before we enter upon the proceedings for the afternoon, I have been asked to announce that Mr. William Riggs, the former CCF member for Windsor-Walkerville in the years 1943 to 1945, and more recently the mayor of Windsor, died this morning in Windsor. His funeral will be Saturday afternoon at 1:30.

Also, I know all the hon. members are concerned about Mr. Speaker Reuter. The up-to-date report that I have is, as you may or may not know, he's in Toronto General Hospital but resting comfortably and getting the best of attention.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I would like to pay tribute to the late Mr. Riggs. Having served on city council with him for some six years, I came not only to know him extremely well but to admire his wealth of knowledge and his deep, humanitarian concern.

Mr. Riggs had a son who is with the Ministry of Housing, and I know the younger Mr. Riggs will follow in the most able footsteps of his late father. I wish Mrs. Riggs and members of the family my deepest sympathy at this time.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, on behalf of the members in this caucus, I also wish to express regret at this news. We send to his family deep regrets.

Mr. Riggs was a man with a great public concern over the years. One of my first political experiences was helping to elect him in the summer of 1943. He ended his political life as mayor of Windsor about four years ago and had kept up his interest in political affairs since that time.

Mr. Speaker: Statements by the ministry.

Oral questions.

The hon. Leader of the Opposition.

WITHDRAWAL OF TEACHERS' SERVICES

Mr. R. F. Nixon (Leader of the Opposition): Well, I would just like to ask the Premier if he would inform the House what is going on in his continuing negotiations with the teachers, those negotiations which many people feel should have been entered into before he got into the situation to which he has brought this Legislature and the teaching profession.

Hon. W. G. Davis (Premier): Mr. Speaker, I don't want to become provocative here this afternoon, but if the Leader of the Opposition insists on making observations, I will make one in return.

I would say, in answer to the question Mr. Speaker, and to the Leader of the Opposition, that the Premier of this province moves into situations to help where it is sensible and logical to do so and I have done so on this occasion.

I am not in a position yet to inform the House, nor is the Minister of Education (Mr. Wells), as to whether there is any change in the present position as it relates to Bill 274. I think it is possible—and I say possible—that some time, hopefully within the next not too many minutes, the minister may be in a position to make a statement.

Mr. Speaker: Any further questions?

Mr. S. Lewis (Scarborough West): By way of supplementary, why does the Premier say, "I'm not in a position"? Why doesn't he just say the government will be making a statement within the next few minutes to announce an agreement, and make it?

Hon. Mr. Davis: Mr. Speaker, I appreciate the advice and the unqualified support I get from the hon. member for Scarborough West, which I read about from time to time; and, of course, when I receive that kind of support, that's when I become dubious about what we're doing—

Interjections by hon. members.

Hon. Mr. Davis: I am not playing games. It's a very serious and delicate situation—

Mr. Lewis: It is not serious and delicate—not now.

Hon. Mr. Davis: I'm not playing games. I am not in a position, nor is the Minister of Education, at 2:09 to make a statement.

Mr. Lewis: My colleague, the member for Riverdale (Mr. Renwick) calls it Kafkaesque. This whole week has been like something out of Kafka.

Mr. Speaker: Any further questions by the hon. Leader of the Opposition?

Mr. R. F. Nixon: I suppose we could wait, because there is every indication from my interpretation of what the Premier is saying, having observed him for a number of years, that it is all signed, sealed and delivered. Could he tell us if, in fact, he has informed his colleagues in the Conservative caucus about the terms of a settlement? Or would it be better if we just forgot it and let the Premier play the game in his own way?

Hon. Mr. Davis: Well, Mr. Speaker, with great respect to the Leader of the Opposition, again, I think it is fair to say that the Conservative Party has a number of caucuses; and there was a caucus today, yes.

INVESTIGATION OF CONTRACTORS DEALING WITH OHC

Mr. R. F. Nixon: I have a question of the Minister of Housing.

Can he report to the House the circumstances which are evidently leading to raids by the Ontario Provincial Police on a number of construction companies, having to do with the giving of Christmas gifts over a number of years to officials in the Ontario Housing Corp.? Why is it that the directives made by his predecessor have not been followed by the officials of OHC, and that they are still evidently receiving these gifts, although they are in a position to advise and award contracts worth many millions of dollars?

Hon. R. Welch (Provincial Secretary for Social Development and Minister of Housing): Mr. Speaker, this question should be directed to the Attorney General, who is in fact in charge of some investigations.

Mr. R. F. Nixon: I do so direct it, Mr. Speaker, with your permission, since the Minister of Housing doesn't know anything about it.

Mr. Speaker: The hon. Attorney General.

Hon. Mr. Welch: Mr. Speaker, I am not going to let that comment go unchallenged.

Mr. R. F. Nixon: Well, it is his people who are concerned.

Hon. Mr. Welch: I am simply indicating to the Leader of the Opposition, who shouldn't get excited in this pre-Christmas time—

Interjections by hon. members.

Mr. V. M. Singer (Downsview): Oh, come on! Answer the question.

Hon. Mr. Welch: The Attorney General will answer this question. I don't appreciate any reference to my particular competence in this ministry, and I am not taking it, either, from the official Leader of the Opposition.

Mr. R. F. Ruston (Essex-Kent): He made a slip.

Hon. Mr. Welch: And there's the big yakker again. Yak a little more!

Mr. R. F. Nixon: There's the spirit of Christmas.

Interjections by hon. members.

Mr. Lewis: I like the minister's use of the phrase, "official Leader of the Opposition."

Mr. R. F. Nixon: I redirect the question, which the Minister of Housing cannot answer, to the Attorney General.

Interjections by hon. members.

Hon. Mr. Welch: I cannot stand that yakking.

Mr. Ruston: And I cannot stand the minister.

Hon. Mr. Welch: Why doesn't the member go into his riding and tell the people just exactly what he does here except yak, yak, yak all the time?

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Welch: That's exactly it, yak, yak, yak.

Interjections by hon. members.

Mr. Speaker: The hon. Attorney General is very desirous of giving an answer to this question. The hon. Attorney General.

Interjections by hon. members.

Mr. Lewis: The contribution of whom? It is amusing. Look, the enemy is over here.

Interjections by hon. members.

Hon. A. Grossman (Minister of Revenue): If the Christmas spirit won't prevail, let's try the Hanukkah spirit.

Mr. Lewis: There are some foreign presences in the House back there.

Hon. D. A. Bales (Attorney General): Mr. Speaker, some information was conveyed to me a while ago. At that time senior Crown counsel within the ministry were directed to carry out the necessary investigation, and that has been under way ever since.

Mr. Lewis: A supplementary, Mr. Speaker: What does the Attorney General mean by the information came to him some time ago? What does he mean by some time ago?

Hon. Mr. Bales: Mr. Speaker, information was conveyed to me from the royal commission. At that point the senior Crown counsel within my ministry were instructed to carry out the investigation and to do all that is necessary.

Mr. Lewis: But I did ask a specific question.

Mr. R. F. Nixon: Supplementary: Is the minister personally responsible for the order to carry out these, raids I believe they are called, where the books of the companies are being examined with reference to the gifts?

Mr. Lewis: There were 16 raids.

Mr. A. J. Roy (Ottawa East): Is he taking the Solicitor General (Mr. Yaremko) along?

Hon. Mr. Bales: We gave those directions to the Crown counsel and they have a free hand to do all that is necessary; and they are proceeding with it. I have not read the story in today's paper. My information comes substantially earlier than that.

Mr. Singer: By way of supplementary, in view of the fact—

Mr. Lewis: Supplementary; we always alternate, Mr. Speaker.

Mr. Speaker: Order please,

Mr. Singer: Well, the member for Scarborough West always sneaks in; so let me try to get in.

Mr. Speaker: The member for Downsview.

Mr. Lewis: Are we going to continue in the noble tradition?

Mr. Speaker: Order, please. In the spirit of fair play before Christmas, the member for Scarborough West will be first.

Mr. Singer: In the spirit of fair play, I wouldn't deny it.

Mr. Lewis: Well, members heard what the Minister of Revenue said.

Mr. Singer: No, I didn't.

Mr. Lewis: I want to ask the Attorney General a supplementary. Since he appears to have known this some time ago, to use his words, sufficient to have initiated the various raids, and since this clearly involves a number of employees in senior decision-making positions in the Ontario Housing Corp., at least between 1969 to 1971 according to the submissions by Mr. Shepherd today, what consultation has he had with the Minister of Housing and what has occurred within the corporation, if anything, over this period of time?

Hon. Mr. Bales: Mr. Speaker, the investigation is in the hands of the senior Crown counsel. My colleague has been made aware of the background of the matter.

Mr. Singer: Mr. Speaker, by way of a further supplementary: In view of the fact that some of us have tried to obtain information over the past two years from the former minister responsible for housing, which was contained in the minutes, because there were some unfortunate stories about land dealings, and we were denied access to those minutes; and in view of the fact that there had been some very serious questions raised in the House about various kinds of problems that arose relating to the internal management, is the Attorney General prepared to go beyond just a police investigation into certain things that Mr. Sheppard has brought forward before the royal commission and order a specific inquiry, either by legislative committee or by a further royal commission, just into the affairs of the Ontario Housing Corp.?

Hon. Mr. Bales: Mr. Speaker, the investigation that is being carried on now will have to be completed and then it can be assessed.

Mr. Singer: A further supplementary: Is the minister prepared to make available to members of this House, as was asked in questions and in writing, access to the minutes;

because some of us are concerned about suggestions we've heard about land dealings that OHC has had over several years?

Hon. Mr. Bales: Mr. Speaker, as I said, the investigation is being carried out by senior Crown counsel and is under their exclusive control and direction. They have complete authority to do all that's necessary. When we have—

Mr. Singer: Well isn't all that's necessary a building industry inquiry?

Hon. Mr. Bales: No, Mr. Speaker. I said the senior Crown counsel within my ministry is looking into this matter, and when that investigation is complete a report will be made and then it can be assessed. The royal commission is dealing with certain aspects of the building industry, which is somewhat different.

Mr. Singer: Why shouldn't the members of the Legislature be entitled to sit in on this kind of inquiry, either through the vehicle of a royal commission or through the vehicle of a select committee?

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

COCHRANE SENIOR CITIZENS' HOUSING

Mr. R. F. Nixon: Since the Minister of Housing is so anxious to take part in the debate, has he received a complaint from a company in Cochrane, Ont., Hobson and Co., a construction company, indicating that the award of a senior citizens' housing contract to a company called Taro Properties, of I believe St. Catharines, was not in the best interests of Ontario Housing or the taxpayers, particularly with regard to the situation in Cochrane; and that in fact much more weight should have been given to an application, not a tender since it was a proposal and not a tender, from a construction firm in the area? Has he received these complaints?

Hon. Mr. Welch: Mr. Speaker, I have not had that matter brought to my attention as of now.

Mr. R. F. Nixon: Will the minister look into it? I'll send the minister the correspondence and he can make a report, perhaps if not to the House, although we may be here for several days, to myself and to the persons concerned.

An hon. member: Would it be appreciated?

Mr. Roy: The odds over here are five to one for the member for Essex-Kent.

Mr. Speaker: Are there any further questions by the Leader of the Opposition?

LETTERS PATENT TO CHURCHES

Mr. R. F. Nixon: Yes, I have a question which I would like to put to the minister from Niagara Falls. What's the story about the companies branch giving letters patent to organizations calling themselves churches for $20, and without investigation permitting them to so call themselves in fund-raising drives in various communities? Is it true that he did grant letters patent to something called the Church of Tree Worshippers?

Interjections by hon. members.

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, I don't know if the Leader of the Opposition is going to the dogs or showing his interest in limbs.

Mr. R. F. Nixon: I'm worrying about this ministry.

Hon. Mr. Clement: We will incorporate a company if the application is completed; and in the case of a no-share capital company, the fee must accompany it. It is in the sum of $20. As to the objects set out, if they meet the general terms in the Act and if it happens to be the incorporation of a group which calls itself a church, then yes, we will grant it.

Now, insofar as the validity of that organization is concerned in terms of raising funds for charitable purposes, they would, of course, have to convince the federal authorities at Ottawa that they were entitled to a tax exemption number, and that is a fairly onerous task I might assure the member. Insofar as we're concerned in Ontario, the fact they are calling themselves a church grants them no rights under the Marriage Act or similar statutes to perform religious ceremonies.

Mr. R. F. Nixon: A supplementary: Wouldn't the minister think, though, that use of the name "church" in letters patent, that are granted automatically now, should be reconsidered? In fact they do tend to be misleading, and are misleading in various parts of the province.

Hon. Mr. Clement: I don't really feel it is a very serious matter. If the member and I and a few others decided to band together, if we did have some common interests, which of course we know we haven't, and call ourselves a church, I don't see any real objection to it.

An hon. member: Tree worshippers!

Mr. Singer: I don't think that is what they call themselves.

Mr. Lewis: I can think of other things to call it.

Mr. Speaker: Are there any further questions?

FORMPAC CANADA LTD.

Mr. R. F. Nixon: I would like to ask the Minister of Labour if he has been approached by Formpac in Brantford or the employees organization for any assistance in finding employment for the 107 people, I believe, who will be unemployed since that factory is not going to be rebuilt?

Hon. F. Guindon (Minister of Labour): Mr. Speaker, the member for Brantford (Mr. Beckett) kept me posted on this matter of Formpac Canada Ltd. of Brantford some time ago. We have, of course, been in touch with the company ourselves.

It is my understanding that this company had a fire, several weeks ago I guess, and it was considering rebuilding the plant. However, because of steel shortages and the fact as well that it cannot get the raw material it uses in the petro-chemical field, I understand, it has decided not to operate again or not to build the plant.

We have sent some of our own people from the employment adjustment service to contact the company and we are told that locally, because of the economic conditions, it is quite probable the employees will find suitable jobs in the area.

BRANT LOCAL GOVERNMENT STUDY

Mr. R. F. Nixon: I have a question of the Treasurer. Can he give us the status of the local government study in Brant which was expected to be available in September?

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs: Mr. Speaker, I do inquire about this once a week; and the last time I inquired, which may have been a week ago, it was promised for, I think, the end of December—Dec. 12; no, about Jan. 12.

Mr. R. F. Nixon: A supplementary: Does the minister know what the problem is with this report since it was, as I say, expected in September? Is the commissioner having difficulty in getting the facts pulled together or is it in printing or what?

Hon. Mr. White: I think the commissioner, who has a high degree of independence, wants to do an excellent job and for that reason it is taking longer than he had originally estimated.

HALL LAMP CO.

Mr. Lewis: A question, Mr. Speaker, of the Minister of Labour, I may have missed it at a previous question period: Have we yet resolved what has happened to the termination benefit rights of the workers at Hall Lamp, or indeed what is happening at Hall Lamp entirely? I guess it is something more than three weeks since the plant closed down.

Hon. Mr. Guindon: Yes, Mr. Speaker, before the end of last week—or last Friday I understand—all the unpaid wages and the vacation pay were paid to all the employees of Hall Lamp. That is where it stands at the present time.

Mr. Lewis: Yes, I knew that. By way of supplementary, I am asking about termination pay. Do I take it that the plant is not reopening, at the moment at any event? Is that right?

Hon. Mr. Guindon: Yes, that's correct, not as Hall Lamp. There are questions of, perhaps, other industries going in. With reference to the separation pay or severance pay, we are still waiting for the receivers.

Mr. Lewis: The minister is what?

Hon. Mr. Guindon: Waiting for the receiver to see what's left and what we can get out of it.

Mr. Lewis: How long does the minister intend to wait? I really don't understand this process; I must admit to that. How long does the Minister of Labour wait for the receiver to decide whether or not the employees are entitled to any termination pay or whether there is going to be a reopening of the plant under Hall Lamp or another name? How long will this drag on?

Hon. Mr. Guindon: Obviously, Mr. Speaker, my hon. friend has never operated a business.

Mr. Lewis: Not a bankrupt business, I will tell the minister.

Mr. J. F. Foulds (Port Arthur): He is not just another truck driver.

Mr. Lewis: The minister has never taken a payroll down Main St.

Hon. Mr. Guindon: The receiver, of course, is looking at all the assets and trying to get the accounts receivable; and until we have all this information we don't know how much money will be there to pay the employees severance pay. We may find that we cannot get blood out of a stone; we don't know yet.

Mr. J. A. Renwick (Riverdale): The bank will get blood out of a stone. It will get it.

Mr. Speaker: Are there any further questions by the member for Scarborough West?

Hon. Mr. Guindon: The bank has secured creditors, of course.

Mr. D. R. Irvine (Grenville-Dundas): Why doesn't the member solve that like he did the one in Scarborough?

INVESTIGATION OF CONTRACTORS DEALING WITH OHC

Mr. Lewis: May I ask the provincial Minister of Housing just one question about the earlier matter?

Has he taken any action within his ministry preparatory to the emergence of the evidence put to the royal commission today? Has he launched a specific inquiry within the Ontario Housing Corp. that follows from the evidence which was submitted today, since I gather he had both advance notice and advance consultation?

Hon. Mr. Welch: Mr. Speaker, I am quite satisfied that the matter which has been inaugurated by the Attorney General would be sufficient investigation at this time. I am taking no action until the investigation ordered by the Attorney General has been completed.

Mr. Speaker: Are there any further questions?

Mr. Singer: Mr. Speaker, by way of supplementary, could the Minister of Housing perhaps tell us in broad terms what kind of an investigation the Attorney General has embarked upon? I couldn't elicit that from his answer; perhaps the Minister of Housing could tell us.

Hon. Mr. Welch: Mr. Speaker, I think it would be quite improper for me to make any further comments with respect—

Mr. Singer: Yes.

Hon. Mr. Welch: —to this matter until the investigation launched by the Attorney General has been completed.

Mr. Speaker: The hon. Minister of the Environment has an answer to a question which was previously asked.

LEAD CONTAMINATION IN HAMILTON

Hon. J. A. C. Auld (Minister of the Environment): Mr. Speaker, on Dec. 18, the hon. member for Scarborough West asked me a question on the subject of lead levels in Hamilton. I have now investigated the subject in some detail with my staff.

First of all, Mr. Speaker, the media reports have implied that my ministry was in possession of a report from Prof. Hutchinson of the Institute of Environmental Studies, University of Toronto, and that we were intentionally suppressing this information. The facts are that the report was mailed from Prof. Hutchinson as recently as Dec. 18, to Dr. S. N. Linzon, air management branch, which was the very day on which the CBC radio programme was on in the morning. The report was received about 3 o'clock on Dec. 19, 1973.

Actually we had acted earlier when we had heard the radio broadcast and two scientists went to the site in Hamilton where high lead contamination was reported.

My staff found 595 parts per million in the soil; that is, one-tenth of the level reported by Prof. Hutchinson at the same site. This level is normal for soil at the very edge of a busy street. We believe that our finding represents the true level of lead contamination in the soil.

Snow samples collected at the same site, which should be indicative of current lead deposition, produced only normal lead levels for an urban street; I think about 4.4 parts per million. In addition, the air management branch personnel for Hamilton have investigated the area for industrial sources of lead with negative results. The history of

the area also revealed no previous sources which could account for any significant lead contamination.

We have looked at Prof. Hutchinson's report, which actually turns out to be a class project of three of his students, and we are disturbed to find out that his value of 5,400 parts per million of lead is so grossly out of keeping with the other findings in his report that prudence alone would seem to dictate to a scientist the need for more sampling. This apparently was not done.

Whether the misleading was the result of poor scientific practice or whether it was calculated to cause alarm to the public, I do not know. But it serves very forcibly to remind us that data from any source, no matter how reputable, must always be treated with the same caution.

As a second example of the same thing, I think the hon. members will recall last week the case of a mailman who was reported to have something in excess of 200 micrograms of lead per 100 millilitre of blood. and on retesting, this turned out to be closer to 40.

Mr. I. Deans (Wentworth): A supplementary question: Have the ministry officials met with the professor? Have they discussed the report with him? Is it the intention of the ministry to continue sampling on a regular basis for a few weeks to ensure that, in fact, it was an error, as I hope it was?

Hon. Mr. Auld: Mr. Speaker, all I can say is I started on Dec. 19 at 8:30 in the morning to try to get hold of Mr. Hutchinson and the staff spent the rest of the day, and it was late in the day when we found that he had actually sent the report. Whether anybody has discussed it with him yesterday or today, I do not know, but since we didn't get it until yesterday we thought we had better read it first.

Mr. Lewis: I heard it on the CBC radio programme yesterday and again today.

Hon. Mr. Auld: I wish the member would.

Mr. Speaker: The hon. Minister of Colleges and Universities has an answer to a question.

OTTAWA TEACHER EDUCATION FACILITIES

Hon. J. McNie (Minister of Colleges and Universities): I have an answer to a question, Mr. Speaker, from the hon. member for Ottawa East, not referred to as kindly by my colleague earlier, clarifying a question he asked me which should have been addressed to the Minister of Education, but in his absence we agreed that I should respond to it.

The intent of originally restricting the placement of French-speaking graduates was to ensure an adequate supply of French-speaking teachers to the French-speaking schools in Ontario so they would not filter into the English system and deprive the French-speaking schools of the necessary teachers.

However, the current policy does permit graduates of the Sudbury and Ottawa French-speaking teacher training institutions to teach regular French courses in English-speaking schools. Further, an amendment to the regulation is being prepared to permit graduates from the French-speaking institutions to also teach immersion courses in French at English-speaking schools.

Mr. Speaker: The member has a supplementary question?

Mr. Roy: No, it is not a supplementary question.

Mr. Speaker: All right, the member for Ottawa East on his own question.

INSURANCE POLICIES AND IMPAIRED DRIVING CHARGES

Mr. Roy: Mr. Speaker, a question of the Minister of Consumer and Commercial Relations: Can the minister confirm whether it is a policy of insurance companies to cancel policies only subsequent to an impaired driving conviction, and not for a conviction under the 0.08 provisions of the code or under the provisions of refusing to provide a breath sample?

Hon. Mr. Clement: Mr. Speaker, I understand that some companies do have that internal policy applying to convictions for a moving offence only. It is not general, I'm advised, throughout the entire industry. But the rationale, I presume, is that in the one instance the person is convicted of a moving offence; whereas, in the other there is no conviction for a moving offence. I fail to see the distinction myself, but I understand there are some companies which follow this policy.

Mr. Roy: Could I ask the minister, Mr. Speaker, a supplementary?

Would he not agree that type of policy encourages drivers to refuse to take the sample, then the police are forced to prosecute under the impaired provisions rather than the 0.08 provisions? In fact, this should not be the policy of major insurance companies, because the purpose of the Criminal Code section, of course, is to stop people from driving under the influence of alcohol; whether it be 0.08 or impaired. Would he not consider looking into this question, checking it out with the insurance companies and possibly getting them to change this policy, which encourages people to refuse to give a sample?

Hon. Mr. Clement: Mr. Speaker, I'd be prepared to discuss it with the industry as a whole. I haven't turned my mind to wondering whether it does encourage people to refuse, on the one hand, perhaps to submit to a test. I would be of the opinion that most people when they are confronted with this type of a situation are not really thinking in terms of, "I wonder how this will affect my insurance?" I think they are more concerned with their immediate predicament at that very moment.

Mr. Speaker: A supplementary on this? All right then, the member for Ottawa Centre.

NOMINATION D'UN DIRECTEUR A L'ECOLE SEPAREE DE HALTON; APPOINTMENT OF HALTON SCHOOL PRINCIPAL

Mr. M. Cassidy (Ottawa Centre): Une question, Monsieur l'Orateur, pour le premier ministre. M. le premier ministre, pourriez-vous parler avec le ministre de l'Education pour savoir s'il est conscient du fait que le Conseil scolaire de Halton séparé a refusé de nommer un directeur à l'école St-Philippe malgré les assurances qui ont été données par le ministre?

I'm putting that into English, Mr. Speaker, since this is the last day of the question period and neither the Minister of Education nor the Provincial Secretary for Social Development are present. Could the Premier draw to the Education Minister's attention when the current difficulties have been resolved that the Halton Separate School Board is still refusing to appoint a qualified French-speaking principal to Ecole St-Philippe, despite assurances made in a meeting with the minister and despite commitments that were apparently made by the minister that he would see that the school board did obey the Education Act and appoint a qualified principal?

Hon. Mr. Davis: Mr. Speaker, I will certainly bring this to the attention of the minister.

Mr. Cassidy: Thank you very much.

Mr. Speaker: The member for Huron-Bruce.

DAYLIGHT SAVING TIME EXTENSION

Mr. M. Gaunt (Huron-Bruce): I have a question of the Premier: Can we assume that the Premier and his government have rejected the idea of going to daylight saving time as an energy-saving device, as our neighbours to the south have done?

Hon. Mr. Davis: No, Mr. Speaker, the government hasn't rejected it; nor have we accepted it.

Interjections by hon. members.

Mr. Deans: The government has done nothing about it.

Hon. Mr. Davis: That's right; and I would say that in this situation we are evaluating it very carefully. I would say to the member for Huron-Bruce that it won't be necessary to have a caucus about it at one minute and then five minutes later change our mind or the next day later. When we make a decision we will move ahead with it.

Mr. Roy: The Premier's a little touchy on that.

Mr. Gaunt: I will tell the Premier where I stand, okay?

Hon. G. A. Kerr (Provincial Secretary for Justice): The member for Ottawa East will never live that down.

Hon. Mr. Davis: I think the Minister of Energy (Mr. McKeough) gave an answer to this in the House related to the energy part of the question, that the benefits were marginal either in favour or against daylight saving as far as consumption is concerned.

I think it gets down to a case of convenience: what effect it has on some communities that border the United States, what effect it may have on some industries and generally the economic implications of daylight saving in the United States upon us here—and travel as well.

These matters are being assessed not only by the Minister of Energy but by the Minister of Economics and Intergovernmental Affairs (Mr. White), because I think it is also important to point out that while we think Ontario is a very significant part of Canada, I would think there should be some expectation that all the provinces might go in the same direction if a change is to be made. In other words, Mr. Speaker, we haven't made a final determination yet.

Mr. Singer: We would have never guessed from that answer.

Mr. Gaunt: Supplementary, Mr. Speaker.

Mr. Speaker: The member for Huron-Bruce has a supplementary.

Mr. Gaunt: When does the Premier consider that this matter will be finalized?

Mr. Deans: In the fullness of time.

Mr. Gaunt: Frankly, I don't see why the matter has to have such study in depth. I would think it's a relatively easy decision.

Some hon. members: Reject it.

Mr. Roy: They've become very cautious in the last few days.

Hon. Mr. Davis: Mr. Speaker, I must confess that it probably isn't one of the more difficult decisions the government will have to make. I have found, though, that there are very few decisions that are that easy to make. I would say it was somewhere in that middle category between easy and difficult, and we will make a decision at some point in time.

Mr. Renwick: That is a very precise answer.

Hon. Mr. Davis: If there are any further supplementaries, I would be delighted to take more time in the question period to answer them in the same very definitive way.

Mr. Cassidy: Supplementary, Mr. Speaker.

Mr. Speaker: The member for Ottawa Centre with a supplementary.

Mr. Cassidy: Mr. Speaker, as a supplementary, since I am the author of a rather prophetic bill that advocates year-round daylight saving – and it has been on the order paper this session—would the Premier and the government consider not only the economic implications but also the social implications, specifically the fact that there is almost no daylight available for children in this northern climate, particularly as far north as Ottawa and northern Ontario, to play in after they finish school as long as we remain on standard time? Would he consider the social implications of having an extra hour of daylight in the afternoon for children?

Hon. Mr. Kerr: After tomorrow, there will be plenty of daylight for them to play in.

Hon. Mr. Davis: I think there are two sides to that as well, because we have had some representations. I can recall, as Minister of Education, that while there is a problem with the number of daylight hours after the children get home from school, if one happened to be living in a rural area – and I don't know whether the islands qualify for this; I would have to ask the member for St. Andrew-St. Patrick (Mr. Grossman)—if one were living in a rural area and had children going to school, I think it is also true that the children would be getting up early in the morning, when there is more darkness, to catch the bus. So that is the other side of the coin that has to be assessed on that particular issue. It works both ways, like so many things.

Mr. Cassidy: All work and no play—

Hon. Mr. Davis: I think the member for Huron-Bruce might not want it.

USE OF POST-AUDIT SYSTEM

Mr. Speaker: The member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, a question of the Treasurer: Can the Treasurer advise us as to which ministries may still not be on the post-audit system in accordance with the terms of the report of the standing public accounts committee, and what is his projection so that these remaining few ministries can be promptly dealt with before we start our next session of the House?

Hon. Mr. White: Well, sir, I think that all the ministries have now converted to post-audit except for Health—

Mr. Lewis: That is understandable.

Mr. Cassidy: They are quivering.

Hon. Mr. White: —and I think they will be converting within the next several months. This has been a tremendously complicated matter for them.

Mr. Roy: Always the straggler.

Hon. Mr. White: I think I am correct in that. I will confirm what I have said to the chairman of the public accounts committee.

Mr. R. F. Nixon: Supplementary, Mr. Speaker: Did the Treasurer notice that the new Auditor General for Canada has come up with the brilliant new idea that there should perhaps be pre-audit for the expenditures committee in Ottawa?

Hon. Mr. White: Well, sir, I have held the view for 14 years that pre-audit was the very best system, but somebody overruled me.

Hon. Mr. Davis: Don't look at me.

Interjections by hon. members.

Mr. Breithaupt: Is it a more difficult decision than that dealing with daylight saving time?

Hon. Mr. White: Oh, excuse me. Apparently Environment is also yet to come but that is a dirty business.

Mr. Speaker: The hon. member for Port Arthur.

Mr. Foulds: Thank you, Mr. Speaker.

Mr. Lewis: I wish the teachers would threaten to resign more often. It humanizes him.

RATES OF PAY FOR PLAYERS IN MAJOR JUNIOR A HOCKEY

Mr. Foulds: I have a question of the Minister of Labour. In view of the statement by the superintendent of recreation programmes of the sports and recreation branch, Ministry of Community and Social Services, which we got in a letter of Nov. 23 with regard to junior hockey and junior hockey players that major Junior A level hockey in Ontario is a business, does he also agree with that unit's estimate that it is legitimate to consider the low rate of pay of $60 a week the players receive is "a rather low-paying apprenticeship prior to a more rewarding career"? Does the Minister of Labour agree with that attitude?

Hon. Mr. Guindon: I imagine that over and above the pay these players are getting they may be getting other concessions as well, such as boarding and clothes and perhaps education.

Mr. Roy: In expectation of a great contract?

Hon. Mr. Guindon: I know this is being done in most areas. I would like to look at this particular situation. I wouldn't make any statement right now.

Mr. Foulds: Supplementary, Mr. Speaker: Does the Minister of Labour consider that this is, in fact, a business, and does he not feel that his responsibility as Minister of Labour is to protect the workers in that area of endeavour?

Hon. Mr. Guindon: By all means, the Minister of Labour is always concerned with labour. As the member will recall, I have made a number of amendments during this present session to the Employment Standards Act and I propose to make some more.

Mr. Foulds: Supplementary, then: Will the minister investigate the conditions under which junior hockey players operate in that league, find out what benefits they get, including room and board and bonuses, and see if that meets the minimum wage requirements of his department?

Hon. Mr. Guindon: Oh, yes. We would certainly like to investigate and see that they do come under the Employment Standards Act. I will report to the hon. member, as a matter of fact.

Mr. Foulds: Will the minister table that?

Hon. Mr. Guindon: I will report to the hon. member himself.

Mr. Speaker: A supplementary by the hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Speaker, may I ask of the minister if he is considering amending the Athletics Control Act so that he could have more control over activities other than simply boxing and wrestling? Hockey is one of the activities that I understand he has some control over but he doesn't exercise that control at all.

Mr. Speaker: The hon. member for Waterloo North.

LICENSING OF LANDFILL SITES

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. I have a question for the Minister of the Environment. In view of the fact that there are many decisions pending both from the Environmental Hearing Board and the minister regarding licensing of sanitary landfill sites and of the huge number of acres involved—1,300 in Pickering and 2,000

in the CN rail haul to Port Hope and an application, I understand, pending for another 900-acre site in Vaughan township near Maple—would the minister assure the House that no more land will be licensed than is absolutely necessary to look after the needs of Metro, so that there will be an acceleration of the development of alternative methods to look after the huge disposal of some 50 million tons of garbage a year required from here?

Hon. Mr. Auld: Mr. Speaker, I think I gave that assurance on a couple of occasions, once during our estimates and once in a reply to a question in this House. In fact, I said specifically about the three sites proposed in Pickering, which the board had hearings about, that the ministry policy when we receive the remainder of the engineering information which is required, is to grant a certificate for one of those sites only at the present time, because we felt that that was all that was required in that area.

The one other thing I would say, Mr. Speaker, is that I am hoping to increase the number of members on the hearing board so that we will be able to hold perhaps two hearings simultaneously. The experience we have had in the last three or four months indicates that hearings are taking longer. We are anxious that these things be processed in whatever fashion as rapidly as possible.

Mr. D. M. Deacon (York Centre): In view of the shocking conditions of the Maple dump operated by Goodhead, or whatever the name of that disposal services company is, which is resulting in the distribution of refuse all over the Teston sideroad and fence lines in a disgraceful condition, will the minister move to close down that operation unless that company cleans up its operation forthwith? It is a disgrace, and because of these appeals the man is allowed to continue to operate.

Hon. Mr. Auld: Mr. Speaker, I am aware of some of the problems in the area. In fact, our people are looking at that situation and, as I recall it, he has completed use of a section of the land and was proposing to extend it. That has not been approved.

Mr. Speaker: The hon. member for Wentworth.

STANDING ORDERS AND RULES OF THE HOUSE

Mr. Deans: Mr. Speaker, I have a non-partisan, non-political question of the Premier. Would he consider setting up an all-party ad hoc committee during the Christmas recess in order that we might go over both the standing orders and rules and try to bring them up to date and put them into a language that can be dealt with in the House?

Hon. Mr. Davis: Mr. Speaker, I've had a number of things on my mind in the past few days. Certainly, I have never objected to considering anything. I will give this some thought.

Mr. Speaker: The hon. House leader has the answer to a question.

GOVERNMENT TENDERING PROCEDURES

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, in reply to a couple of questions some days ago, in regard to the total fees paid to consultants employed by Management Board for advice on computer policy, I can report as follows:

T. A. Croil Associates, $20,700; Senelco Ltd., $6,952.95; Systems Dimensions Ltd., $15,575.

If information is required about the computer consultants or past computer acquisitions of other ministries, I would suggest to the hon. members that the questions be addressed to the ministers concerned.

I can inform the House of the ongoing process which was approved by Management Board—and I have made some reference to this but this is in greater detail—on Jan. 16, 1973, for the acquisition of computers. This calls for the Ministry of Government Services to submit to Management Board by March 31, 1974, a plan for the rationalized deployment of the government's computer facilities under one central control.

Management Board has further directed that the government's total computer requirements, as outlined by this plan, be put out for tender in August, 1974. We understand that the Ministry of Government Services has already been meeting with all of the major computer manufacturers to advise them of this forthcoming tender and to solicit their views and suggestions as to how this competition might be undertaken to ensure that the most equitable opportunity will be given to all.

Mr. Speaker: The hon. member for Windsor-Walkerville.

USE OF HELICOPTERS IN CRIME AND TRAFFIC CONTROL

Mr. B. Newman: Mr. Speaker, I have a question of the Solicitor General. The weather isn't conducive to asking this type of question but may I ask the minister—

Mr. Roy: It's never conducive.

Mr. B. Newman: —in the light of the fact that helicopters are being used more and more frequently in the US in an attempt to control crime and control traffic, is the ministry considering the use of helicopters? Would it consider a pilot project in one of the large metro areas using helicopters for crime and traffic control?

Mr. Roy: As long as he is not the pilot.

Hon. J. Yaremko (Solicitor General): Mr. Speaker, that is a matter which is presently being looked at.

Mr. Speaker: The hon. member for Ottawa Centre.

HOUSING REPORT

Mr. Cassidy: A question of the Minister of Housing, Mr. Speaker: Since this is probably our last question period for the year, can he give us brief details about the housing action projects, when an announcement will be made and what results we can expect from the work of Mr. Eli Comay?

Hon. Mr. Welch: Mr. Speaker, I now have the housing action report. I've just had it for the last two or three days. I've been studying it very carefully to make recommendations to my colleagues. The results will be absolutely fantastic—very, very positive.

Mr. Cassidy: Can he give us any intimation about how many lots he expects to come along with?

Hon. Mr. Welch: I have not yet discussed the matter with my colleagues, but I am very confident and very optimistic that it will be very positive.

Mr. Speaker: The hon. member for Ottawa East has a question.

LEDAIN REPORT RECOMMENDATIONS

Mr. Roy: I have a short question, Mr. Speaker, of the Minister of Health. As the Minister of Health knows, one of the recommendations of the LeDain report was that hard-core drug addicts should be picked up and locked up for compulsive treatment, and this has been opposed by the medical association. Would he tell us if he agrees with the recommendation or agrees with the profession?

Hon. R. T. Potter (Minister of Health): Mr. Speaker, we're studying the LeDain report now. As the hon. member has seen, it is a fairly large report and I'm not prepared to make any statement on the report generally.

Mr. Speaker: Any further questions?

Interjections by hon. members.

Mr. Speaker: If there are no further questions, I declare the question period ended.

Petitions.

Reports.

Motions.

Introduction of bills.

Orders of the day.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I would ask permission for the House to hear a statement from the Minister of Education.

Mr. Speaker: Unanimous? Thank you.

WITHDRAWAL OF TEACHERS' SERVICES

Hon. T. L. Wells (Minister of Education): Mr. Speaker, with the objective of ensuring that all Ontario schools are open and operating normally beginning the first day of the school term in January, the Premier (Mr. Davis) and I have held a series of meetings with representatives of the Ontario Teachers' Federation and its affiliated organizations over the past several days.

In these discussions, the basic principles of both the government and the teachers have remained firm. For our part, the government has stated many times that pupils should not be deprived of their educational rights as a result of bargaining disputes between teachers and school boards—and we hold to that view.

Out of these discussions has come an agreement between the government and the teachers' organizations which, we are mutually confident, will satisfy our respective objectives.

The agreement has two essential points:

1. The affiliates of the Ontario Teachers' Federation have agreed to present to their members in the 16 areas affected, a proposal that the effective date of the teachers' resignations will be extended from Dec. 31, 1973 to Jan. 31, 1974. This must be achieved by mutual consent between the relevant school boards and each of their teachers.

2. The government will not proceed with Bill 274 at this time, and will instead adjourn the House today for a Christmas-season recess.

Mr. S. Lewis (Scarborough West): Well done, John White.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Always.

Hon. Mr. Wells: Without question the success of this agreement in fulfilling the basic wishes of both the government and the teachers' organizations is dependent entirely on the sincere efforts of the school boards and teachers concerned to make it work.

We have been assured that the Ontario Teachers' Federation affiliates will meet with their members immediately in the 16 localities in order to present the proposal to them.

Mr. Speaker, for my part as Minister of Education, I have already contacted the chairmen of the school boards that are affected, to strongly encourage the co-operation of their boards with respect to the mutual consent required to change the effective date of resignations.

If, Mr. Speaker, these steps are not proceeding satisfactorily, the Legislature will resume sitting next week in order to complete passage of this bill. If satisfactory progress towards settlements between the 16 school boards and their teachers is not evident by the final week in January, the House will be called back at that time.

By this arrangement, the government's desire that all schools remain open will be achieved, and the opportunity for four additional weeks of free collective bargaining to resolve existing disputes will be made available to the teachers and boards concerned.

Mr. Speaker, I cannot think of a better way in closing this statement than quoting from the front of the Christmas card I received today from the Ontario Teachers' Federation, which contains a biblical quotation which is one of my favourites: "Peace on Earth."

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, let me for clarification—

Mr. Speaker: The Leader of the Opposition.

Mr. R. F. Nixon: Two points of clarification. How is the minister going to determine by next week if the negotiations are going satisfactorily; and secondly, has there been any indication from the ministry of a change in attitude on the imposition of ceilings in those particular areas concerned?

Hon. Mr. Wells: Mr. Speaker, the answer to the first question is that it is not that the negotiations are proceeding satisfactorily, it is that the mutual agreements for consent to extend the date have been given. If that is not guaranteed by next week, we will be back meeting in this House.

With regard to the second question, it is our feeling that the increase in ceilings is sufficient to allow for the adequate settlement in those areas, and we think that they can proceed ahead in this regard.

Mr. R. F. Nixon: So there is no change.

Mr. Lewis: On a point of clarification: Do I take it, as yet unspecified in the statement, that the teachers involved in the 16 boards through the month of January can choose among (a) regular collective bargaining routine, (b) mediation, or (c) voluntary binding arbitration on or before Jan. 31; and in the case of voluntary binding arbitration the arbitrators will not have instructions specified to them?

Hon. Mr. Wells: Mr. Speaker, the answer to that question is yes. We are so confident of the fact they can live within the ceilings that we do not think the clause put in the agreement in Windsor last year has to be put in—

Mr. Lewis: That is fine. As long as there are no instructions, there are no worries.

Hon. Mr. Wells: No. It doesn't have to be put to the arbitrator.

Mr. R. F. Nixon: For further clarification, with your permission, Mr. Speaker: How can the answer the minister gave to the question of the leader of the NDP correspond with the answer he gave me? He said there was no change in position on the ceilings but then said that, in fact, the ceilings are not going to bind the arbitrators?

Mr. Lewis: That's right. There is no reconciliation.

Mr. R. F. Nixon: He wants to have it both ways.

Hon. Mr. Wells: I didn't indicate that, Mr. Speaker. I said the arbitrator will have full scope to consider the matters in dispute between the board and its teachers.

Mr. Lewis: Right.

Hon. Mr. Wells: For our part we're confident he can come within the ceilings and we're willing to let him go at that job without giving him certain directions.

Interjections by hon. members.

Mr. Lewis: Right, but the minister is not giving the arbitrator any instructions to limit himself or herself to the ceilings? No instructions?

Hon. Mr. Wells: Only one at a time.

Mr. Lewis: Okay.

Mr. Speaker: The hon. House leader.

Hon. Mr. Winkler moves the adjournment of the House, to resume the present session on the call of Mr. Speaker.

Motion agreed to.

The House adjourned at 3 o'clock, p.m.

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No. 184



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Third Session of the Twenty-Ninth Legislature

Tuesday, March 5, 1974

Morning Session

Speaker: Honourable Allan Edward Reuter
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, MARCH 5, 1974

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: I beg to inform the House that during the recess the chairman of the select committee on economic and cultural nationalism has filed with the Clerk of the House the following reports in accordance with the order of the House made on June 21 last:

A report on foreign ownership and the electronics industry; a report on employee attitudes toward foreign ownership; and an overview report on corporate behaviour and public attitude with respect to foreign ownership.

Hon. W. G. Davis (Premier): Mr. Speaker, His Honour awaits to enter the chamber.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the legislative assembly and took his seat upon the throne.

Hon. W. Ross Macdonald (Lieutenant Governor): Pray be seated.

The Honourable the Lieutenant Governor of the province was then pleased to deliver the following gracious speech:

Hon. Mr. Macdonald: Mr. Speaker and members of the legislative assembly.

At the close of the third session of the 29th Parliament of Ontario, it is my pleasant task to review some of the accomplishments of this assembly over the past year.

As hon. members are aware, it has been a year in which the province's economy has been subjected to strong pressures from internal, national and international influences. Nevertheless, Ontario was able to demonstrate an overall increase in real growth of 7.2 per cent in 1973, compared with six per cent in 1972, and the unemployment average for 1973 declined to a little over four per cent from 4.8 per cent the year before.

The government has continued to encourage and participate in consultations with municipalities, other provinces and the federal government with useful and largely satisfying results. At several federal-provincial meetings, including the meeting of first ministers last May, the province has been consistent in its appeal for a comprehensive and coherent plan of fiscal reform. It is Ontario's view that a reallocation of tax revenues is fundamental, given the distribution of responsibilities among the three major levels of government in Canada.

Significant progress has been made in plans for the reform of local government structures. Legislation for four new two-tier regional municipalities east and west of Metropolitan Toronto and for the regional municipality of Haldimand-Norfolk was the culmination of a restructuring of Ontario's communities on a broader base to enhance their viability and provide a stronger framework for the future.

As stated in the Throne Speech last March, the government regards the development and implementation of land-use policies as an integral part of these reform measures. The new Ontario Planning and Development Act makes provision for just such development planning in continuing consultation with local governments and with scope for regular reviews of development proposals through public hearings and other representations.

My government is firmly convinced that by pursuing a decentralized administrative system and by placing the means for development of Ontario's communities more and more in the hands of local governments, it is helping to ensure the preservation of the qualities that are important in the lives of their residents.

In the budget last spring, grants to municipalities were increased by the unprecedented amount of $400 million to $2.4 billion. The total amount is equivalent to 90 per cent of the province's total revenues from the provincial sales tax and personal income tax. These steps have been effective in reducing upward pressures on property taxes across Ontario and in generally strengthening our municipalities.

The unique needs of northern Ontario are recognized in a special new grant equivalent to an additional 10 per cent of municipal levies that will have brought an estimated $8.6 million in extra support to our northern

municipalities during this past year. This assistance is in addition to an increased general support grant of four per cent of municipal levies for all municipalities throughout the province.

[In further measures to prevent large increases in property taxes, the government of Ontario increased its share of total elementary and secondary school costs by $92 million over 1972. The province now, therefore, pays 60 per cent of overall costs of elementary and secondary education. In a period of uncertain post-secondary enrolments, introduction of a "slip year" grants formula based on the previous year's actual enrolment is helping our universities plan programmes in advance with full assurance of provincial support.

[Another budget provision is the abolition of succession duties on all family farms that remain within a family and continue to be used for farming. Ontario's farm tax rebate programme now makes farmers virtually exempt from taxes on the land portion of their assessment by increasing rebates from 25 per cent to 50 per cent of the municipal tax bill.]

My government believes it has a responsibility to ensure that the benefits of this and other provincial farm policies go to genuine farmers only. To this end, a special advisory committee was set up in April to examine the issue of farm classification in Ontario. Their work has included a series of public meetings throughout the province. The committee's recommendations should lead to further positive action that will encourage farming and preserve valuable farm lands, and which will ensure the continuity of viable farm units.

Early last spring, hundreds of residents experienced hardships as a result of exceedingly high water levels, and ice and erosion damage along the shores of the Great Lakes. Ready and substantial assistance by the province was made available with a $50 million programme enabling municipalities to make direct loans to property owners for repairs to damaged shore property and buildings. Provision was made for the Northern Ontario Development Corp. to offer similar assistance to residents in the unorganized territories.

A new Ontario business incentives programme was established in the summer. Performance loans have been replaced by long-term repayable loans, which are being made available to service industries and tourist operators as well as to manufacturers. A newly created Eastern Ontario Development Corp. will focus on the special development needs of that area of the province and shares the broadened responsibilities that have been given to the Ontario Development Corp. and the Northern Ontario Development Corp.

In provisions for senior citizens, former supplementary grants were replaced by a $100 pensioner tax credit, at a cost to the province of $40 million per year, or twice the amount allocated in 1972. As announced in the budget last spring, senior citizens will benefit as well from new property and sales tax credits, and can now claim all three credits through the income tax system.

Revised workmen's compensation benefits were approved by the Legislature last summer, reflecting cost-of-living increases and higher minimum wage rates. These revisions included an increase in the minimum pension for personal total disability from $175 to $250 per month, higher minimum benefits for widows and dependants, and higher earning ceilings for compensation eligibility. In addition, the Workmen's Compensation Board itself is making substantial progress in discharging its duties to the public in accordance with the comprehensive task force report received in the fall.

In February, 1973, Ontario's minimum wage rate was increased to $1.80 for employees in general industry and to $2.05 for construction industry employees. Effective Jan. 1, 1974, the minimum wage was further increased to $2 and $2.25 respectively to help reduce the effects of cost-of-living increases on the low-income wage earner. Through additional protective legislation, all employees will be entitled to two weeks' paid vacation annually after one year's employment, and to a minimum of four prescribed statutory holidays with pay.

Hon. members, the programmes highlighted in this review represent but a small proportion of the achievements during an exceedingly busy year. In the business of the Legislature during this time, more than 175 bills brought before this assembly have received royal assent. The provisions they contain are a testament to the continued endeavours of my government toward ensuring the well-being of the residents of this province.

May I, on behalf of the people of Ontario, commend you on the way in which you have fulfilled your duties in this past ses-

[Editor's Note: Copy within brackets was not read but is contained in the formal Throne Speech.]

sion. In conclusion, I now declare the session prorogued.

In our Sovereign's name, I thank you.

God bless the Queen and Canada.

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker and hon. members of the legislative assembly, it is the will and pleasure of the Honourable the Lieutenant Governor that this legislative assembly be prorogued, and this legislative assembly is accordingly prorogued.

The Honourable the Lieutenant Governor was pleased to retire from the chamber.

The House prorogued at 10:20 o'clock, a.m.

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